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THE UNITED KINGDOM

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THE UNITED KINGDOM

A POLITICAL HISTORY

BY

GOLDWIN SMITH, D.C.L.
AUTHOR OF "THE UNITED STATES," ETC., ETC.

The best form of government is that which doth actuate and inspire every part and member of a state to the common good. — PYM.

VOLUME I

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PREFACE

THE limited aim of these pages is to give the ordinary reader, so far as was in the author's power, a clear, connected, and succinct view of the political history of the United Kingdom as it appears in the light of recent research and discussion.

Among works of special research by which the writer has been assisted, and to the authors of which his grateful acknowledgments are due, are the following: —

Freeman's "History of the Norman Conquest of England."
Stubbs's "Constitutional History of England."
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"The Life and Reign of Edward I.," by the author of "The Greatest of the Plantagenets."
James Hamilton Wylie's "History of England under Henry the Fourth."
Sir James H. Ramsay's "Lancaster and York."
Mrs. J. R. Green's "Town Life in the Fifteenth Century."
J. S. Brewer's "Reign of Henry VIII.," edited by James Gairdner.
Francis Aidan Gasquet's "Henry VIII. and the English Monasteries."
Paul Friedmann's "Anne Boleyn."
Froude's "History of England from the Fall of Wolsey to the Death of Elizabeth" (the later volumes).
Gilbert W. Child's "Church and State under the Tudors."
David Masson's "Life of John Milton, narrated in Connexion with the Political, Ecclesiastical, and Literary History of his Time."

Samuel Rawson Gardiner's Histories, embracing the period from James I. to the Protectorate.

W. E. H. Lecky's "History of England in the Eighteenth Century."

Henry Jephson's "The Platform: its Rise and Progress."

Sir Spencer Walpole's "History of England from the Conclusion of the Great War in 1815."

William Nassau Molesworth's "History of England from the Year 1830."

John Hill Burton's works on Scotch history.

A. G. Richey's "Short History of the Irish People, down to the Date of the Plantation of Ulster," edited by Robert Romney Kane.

T. Dunbar Ingram's "History of the Legislative Union of Great Britain and Ireland," and the same writer's "Two Chapters of Irish History."

J. T. Ball's "Historical Review of the Legislative Systems operative in Ireland, from the Invasion of Henry the Second to the Union (1172–1800).

"Social England: A Record of the Progress of the People in Religion, Laws, Learning, Arts, Industry, Commerce, Science, Literature, and Manners from the Earliest Times to the Present Day." By various writers. Edited by H. D. Traill, D.C.L.

The "Dictionary of National Biography."

John Mercier McMullen's "History of Canada, from its First Discovery to the Present Time.'

The works on India of Sir Richard Temple, Sir W. W. Hunter, Sir Alfred Lyall, Sir John Strachey, Colonel Chesney, and Sir James Fitzjames Stephen.

Particular acknowledgments are due to the admirable works of Freeman, Stubbs, Gardiner, and Lecky; to that of Stubbs with special reference to the constitutional policy of Edward I. The historical part of Mr. Masson's work also calls for particular recognition.

The author at the same time embraces the opportunity

of testifying to the noble service which the editors and writers of the "Dictionary of National Biography" have rendered to British History.

In one or two parts of the book the author has drawn on previous works of his own.

The friends who urged the writer to undertake this task know that it has been performed by the hand of extreme old age.

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CHAPTER I

OLD ENGLISH POLITY

ENGLAND has taken the lead in solving the problem of constitutional government; of government, that is, with authority, but limited by law, controlled by opinion, and respecting personal right and freedom. This she has done for the world, and herein lies the world's chief interest in her history. She has also had to deal with great problems of her own; among them that of national unity, the long postponement of which is indicated by the present lack of any common name except that of the United Kingdom for the realm, and of any common name for the people. Ultimately she became the centre of a maritime empire, consisting partly of colonies, partly of dependencies, and had imperial problems of both classes with which to deal.

The scene of this political drama is in two large islands off the coast of Europe, near enough to the continent to form a part of the European system, while they are in a measure independent of it, so that their people long preserved an insular character and history. The channel between Dover and Calais has largely exempted England from European dominations and revolutions; from the Empire of Charlemagne, of Philip II., of Louis XIV., of Napoleon, in some measure from that of the papacy, and on the other hand from the French Revolution. It has

enabled England to act in the European system as a moderating and balancing power; now upholding liberty against despotism, now order against headlong change. Islands seem dedicated by nature to freedom. They will commonly be peopled at first by men bold enough to cross the sea, nautical in their habits and character. In later times, the island nation, the sea being its defence, will be exempt from great standing armies, while fleets are no foes to freedom. The British islands are happily placed for commerce with both hemispheres. Looking forth across the Atlantic to America, they are also happily placed for colonization; but that part of their destiny long remained veiled. In the estuaries of the Thames, the Humber, the Orwell, the Mersey, the Avon, they have ports safe from attack, though in an hour of shame the
1667 Dutch came up the Thames. Of minerals, too, Great Britain has good store, and coal for manufactures which, with the help of circumstances, such as the repression of continental manufactures by war, have made her the seat of a vast manufacturing population with its political influences both for good and evil. At the same time there is a great breadth of land for farming, which long continued the chief industry. The union of the three industries, farming, sea-faring, and manufacturing, produced a character balanced in politics as well as in general life.

The channel between Great Britain and Ireland has played and is even yet playing a momentous and fatal part in their political history. Nature had manifestly linked together the destinies of the two islands and made their union the condition of their security and greatness. But differences of race, differences of religion, evil chances

and evil policy, combined with the estranging sea, long defeated the behest of nature, and the union is hardly perfect even at this hour.

When the drama opens, the lowlands and the fruitful parts of the larger island are occupied by the race which has given the nation its usual name, its general character, its fundamental institutions. It is a Teutonic race, and has come in three swarms, Angles, Jutes, and Saxons, from the northern coast of Germany, about the mouths of the Elbe and the Weser. While other northern races have migrated by land, this race has migrated by sea, in bands of rovers who have probably first marauded, then settled, and gradually driven out or enslaved the former inhabitants. It is strong and comely, braced by sea-life, picked by the northern climate and tribal war. It loves freedom and inclines to freehold ownership of land. It respects birth and is divided on that principle into eorl and churl, names now widely parted from their first meaning. Beneath the churl is the theow or slave, a captive in war, a condemned felon, or one who has lost his freedom in gambling, which seems ever to have been the master vice of the race. Tacitus, who describes the Germans in their original seat, paints their character as robust, though rude, and pure in contrast with Roman license. According to the same authority there were kings designated by birth, but at the same time leaders chosen by merit, a custom which seems to foreshadow the hereditary monarchy and elective premiership of the present day. The Germans had their primitive parliaments, in which no doubt the authority of the chiefs prevailed, while the people signified their assent to the resolution, generally one of war, by clashing their arms. The

Fifth century.

tendency of the race, fostered no doubt by the comradeship of roving bands, and, in the new country by the circumstances of little settlements each belted with its zone of wood, was to self-government and to local institutions, the spirit, and to some extent the form, of which has lived to the present day. In the assembly of the shire, the largest local division, of the township which if fenced was a burgh, and of the hundred which was military, the people met under their alderman, or other local officer, to regulate their own affairs. The ruler was also the judge, and public justice was little more than the public assessment of vengeance or of compensation for private wrongs.

Around the English settlements or buried beneath them was the wreck of a province of the Roman Empire, ruins of cities and villas, camps deserted by the legions, relics of Roman handiwork, Roman tombs, treasures buried by fugitives who never returned. Coming not by land, like the other northern tribes, but by sea, the English had not made acquaintance with the Roman civilization, or been imbued with respect for it. Themselves lovers of the open field and the woodland, they either sacked and destroyed the cities or left them to decay. With the cities municipal institutions perished. Of Roman empire remained only the great military roads which traversed the island, solid as Roman character, unswerving as Roman ambition. Under the Empire the Britons had been converted to Christianity. This also was destroyed by the Englishman, who, unlike the other tribes, had not been visited by the missionary, but came a heathen fresh from the seats of his nature-worship and his war-gods. Italy, France, and Spain remained in language and religion, and

partly in institutions, provinces of the Roman Empire. The English nation and polity were a fresh and purely Germanic birth.

In the Welsh mountains, behind the Grampians, away in Ireland, and for a long time in the hills of Devonshire and Cornwall, lay the remnants of the Celtic race, which the Anglo-Saxon had driven from England, with their several dialects of the Celtic tongue, their Celtic character and customs, and in Ireland and Wales at least, with the Christianity of Celtic Britain. It was a race, from whatever cause, whether congenital or of circumstance, more emotional and mercurial, less strong and steadfast than the Teuton, more addicted to personal, less fitted for constitutional government. Whether it was exterminated where the conquest spread, or mingled its blood with that of the conquerors, is a question about which antiquaries differ. It left its memorials in the names of rivers and mountains, as well as in the hill camps which told of its tribal wars, the rude monuments which told of its veneration of its chiefs, and the circles which had witnessed the bloody rites of its wild and dark superstition. Stonehenge speaks of it on the lonely plain. Cæsar, who subdued it in Gaul, has depicted its gallantry and its weakness. In the western lowlands of Scotland, also, remained a wild, primeval race, or mixture of primeval races. The rebellion of 1745 and the present agitation for Home Rule and Welsh disestablishment show how deep and lasting has been the influence of this division of races upon the politics of the United Kingdom.

Combination against the natives and predominance of the stronger over the weaker among the conquerors themselves in time welded the little settlements together and 455–828

produced the seven kingdoms of the Heptarchy — Kent, Sussex, Essex, Wessex, East Anglia, Mercia, and Northumberland. There ensued a contest for supremacy among the seven. The advantage was with those the warlike spirit of which had been sustained by the border struggle with the Celts. Mercia, the central state,
826 seemed for a time to prevail. But in the end Wessex, the southwestern state, having embraced the country between the Thames and the Channel, under Egbert, who had seen Charlemagne, came out supreme, and became the foundress of England, of the United Kingdom, of the British Empire. Union was made difficult and amalgamation was made still more difficult by intersecting forests, morasses, and rivers of pristine volume, as well as by defective communications, the only good roads being those which had been bequeathed by the Roman engineer.

Unity as well as moral civilization was set forward by Christianity, to which the king of Kent, who had married a Christian princess from France, was converted by Augustine, a missionary sent by pope Gregory the Great.
597 The Kentish king heard the Gospel with an openness of mind which Englishmen love to call English. With the king, the people, after the fashion of tribalism, passed into the allegiance of the new god. Removal from the seats of their old religion, which was largely local, had probably weakened its hold and that of its priesthood. From Kent Christianity spread over the other kingdoms
627 of the Heptarchy. It was borne to Northumbria by another Roman missionary, Paulinus, and there welcomed, according to a pretty fable, as a solution of the mystery of human life, which otherwise was like the flight of a bird through the hall where the king and his

lords were sitting round the fire, out of the night and back into the night. There were relapses, and there was 633
a stubborn resistance in rude Mercia, where king Penda fought for heathenism and prevailed so far as to win back Northumbria for a time to the old gods. But in the end he fell and the old gods succumbed, though they left in haunted tree, fountain, and stone, in heathen fire festivals, and in general superstition the traces of their reign. Northumbria was re-converted at first, not by the missionaries of Rome, but by Aidan, a missioner of the old British church, which had found a refuge in Ireland and 634
Wales, and in Wales had rejected the preaching of Augustine. Roman unity, however, with the magic name of Peter, the holder of the keys of heaven, prevailed at the synod of Whitby, and Latin Christianity, with the 664
bishop of Rome at its head, remained the religion of England. It united the island to Christian Europe and to whatever remained of the Roman Empire and its civilization. It introduced in opposition to the warlike type the Christian type of character, the Gospel virtues of charity, meekness, readiness to forgive, the saintly and ascetic ideal, the notion of sin against God, where before there had only been that of wrong done to, and avenged by, man, penitence and penance, with the moral authority of a priesthood pretending to sacramental powers. It proclaimed the spiritual equality of the sexes and the human rights of the slave. To Christianity may be ascribed the birth of learning and literature, of which, in England, the Venerable Bede in his monastery at Jarrow was the father, that national consciousness which prompts to the writing of history, art the offspring of religion, and the beginnings of legislation. For the most part the con-

version would be skin-deep. The ideal would be too high. Love of war and sensuality would hold their own. Nor were the effects wholly good. Sacerdotal authority is always liable to abuse. Asceticism might weaken the character of a nation, which, to preserve its life, presently needed all its force. The monk had at first been useful, perhaps indispensable, as a pioneer. Afterwards monasteries were apt to become lairs of idleness and refuges from royal and patriotic duty. Formal penitentials and vicarious penances were made licenses to vice.

The Anglo-Saxon or English polity was now complete in church and state, rather, we should say, as the church remained national, in state and church. At its head was the king, who had been raised higher above the heads of the people by each successive extension of his domain. He was at once ruler, law-giver, general, and judge, all those functions being as yet enfolded in the same germ. But he was no despot. If he governed, regulated, made high appointments in church and state, granted the public land, gave chartered rights, it was with the consent of the Witenagemot, an assembly of the magnates, civil and ecclesiastical, which, with the extension of the kingdom, had practically superseded the assemblies of all the freemen, the distance being too great for general attendance, and representation being then unknown. A king's personal ability would be the real measure of his power. When he was able the witan would register his will. The authority of the witan was wider than that of parliament nominally at the present day, since it extended to executive action, to appointments, to foreign policy and war, as well as to legislation. The public land belonged to the nation, not to the king.

The king was elected by the witan, but always out of the heroic house of Cerdic, and generally by the rule of male primogeniture, though the witan, as the exigencies of rough times required, could sometimes exclude, and sometimes depose, as the parliament, its successor, deposed Edward II., Richard II., and virtually, though not in form, the second James.

In the primitive abodes of the Saxon rovers each chief had gathered round him a circle of followers to whom he gave bread, arms, and clothes, while they shared with him all enterprises and perils, fighting round him to the death, throwing themselves between him and the dagger of the assassin, scorning to leave the field alive when he had fallen. Gesiths they were called at first, afterwards thanes. Hence, when the chief had become a king, grew a new order of nobility, a nobility of royal favour and grants, overtopping the old nobility of birth, and forming the predominant element in the council of the nation. Aristocracy was not close or exclusively military; three voyages made the merchant a thane.

In the absence of a strong central administration government must delegate its powers. The country was divided, as it still is, into shires, by what process is not exactly known. Subordinate divisions were hundreds, which were military, and townships, which, when fenced, were called burghs. Through the whole scale in those primitive times the political or administrative and military assembly was also the rude court of justice. Over each shire, and, where large military powers were necessary, over several shires, was an alderman, who took the place of the petty kings and is faintly represented by the lord-lieutenant at the present day. In each shire there

was a king's intendant, called the shire-reeve or sheriff, who guarded the king's rights, collected the king's dues, acting as a sort of farmer-general, and called out the militia. The shrievalty was perhaps the nearest approach to centralization.

The army was the general levy of freemen, every one of whom was bound to appear in arms when national defence called, on penalty of being branded as a nithing or poltroon. All were bound to aid in keeping up forts as well as roads and bridges.

Private war was restrained by the king's peace. Police was in the rude form of frank-pledge or mutual responsibility of neighbours or members of the same tithing. Trial was by ordeal or by compurgation, that is, purgation by the oaths of a certain number of sureties. Life was guarded by the were-gelt or blood-fine paid to the kin. Differences of rank were marked by the amount of the were-gelt and the compurgative value of the oath.

The old English church, though a direct offspring of Rome, was insular and national, bearing nearly the same relation to the state which it bore after the Reformation. Rome was regarded as the mother and centre of Christendom, not its mistress. A filial tribute under the name of Peter's pence was paid to her. Wilfrid, a high-flying ecclesiastic, tried to introduce high church principles but failed. The church had her synods, but the king and his witan dealt with ecclesiastical as well as with temporal affairs and appointed the bishops; while the bishops, by virtue of their superior education, became here as elsewhere in temporal as well as in ecclesiastical affairs, the counsellors of kings. The two swords were held in the same hand, the bishop sat with the secular magistrate in

the local court; no sharp line divided the two spheres or jurisdictions. The church had been organized, with the diocesan and parish system, largely by Theodore of Tarsus, Archbishop of Canterbury, who as an Eastern divine with Roman tonsure and commission represented the wide unity of Christendom. In local government there was a tendency in the ecclesiastical to unite with the administrative system which finally issued in a parish with its vestry at once religious and administrative, while the parish church with its altar, its font, and its graveyard, became the local centre of social as well as spiritual life. The payment of tithe, at first voluntary, or enjoined only by religion, was ultimately enforced by law. Besides a bond of union among petty kingdoms imperfectly consolidated, the church with her hierarchy furnished a pattern of organization. It has even been said that the first synod held in England was the first national assembly.

Scarcely had the English kingdom been founded when 794
upon it swooped the Dane. Kinsman to the Saxon, he was, like him, in his early estate a sea-rover, a heathen, a marauder; his raven was the bird of slaughter and rapine. He had a wild Scandinavian religion of warfare and destruction, with a paradise of alternate combat and wassail for the warrior in Odin's hall. His heathen rage was specially directed against church and monastery. Christianity, on the other hand, in the absence of a strong feeling of patriotism, was the bond and rallying cry of national defence. In this way it made up for anything that it might have done by its asceticism or quietism to enervate and disarm. Made ubiquitous by his command of the sea, which the English had now resigned, pouncing where he was least expected, sweeping the

country before the national levies could be got together, and at last keeping permanent hold upon large districts, the Dane had brought the English kingdom to the verge of destruction, when a heroic deliverer arose in the person
871 of Alfred, the model man of the English race. Round the head of Alfred a halo has gathered; his history is panegyric; yet there can be no doubt of his greatness as a saviour of his nation in war, as a reorganizer of its institutions, of which pious fable has made him the founder, as a restorer of its learning and civilization. Parts might be combined in those early times which could not be combined now. With Alfred the monarchy rises in power and majesty; to plot against the king's life is now made treason. Alfred was followed by a line of
901 able kings: Edward the Elder; Athelstan, who smote
925 the Dane with his Scotch and Irish allies at the battle
937 of Brunanburg; Edmund, who followed up Athelstan's
940 victory over the Dane; Edgar the Pacific, who, tradi-
958 tion said, was rowed by six kings in his barge upon the Dee. In Edgar the English kingdom rose to its highest pitch of greatness, its power extending over Wales and Scotland. The Dane, though vanquished, was not expelled. He divided the land. His portion was the northeast, thenceforward called the Danelagh, where he has left his memorials in local names and in the character of a bold, sea-faring race.

It is at this point in the history that a political figure, afterwards prominent, appears upon the scene. Dunstan, styled Saint, was a reformer of the church in the monastic sense. But the struggle between the monastic party and its opponents appears to have become political. Dunstan is credited with the good government

of Edgar. That he struggled for power and gained it is a fact better known than his policy. The cell of the anchorite is not a good school of statesmanship. It sends forth its denizen pure, perhaps, and disinterested, but hard, uncompromising, and relentless. So far, however, as can be seen through the dense mist Dunstan's power was used in a monkish way for good.

After Edgar the royal line decays, as royal lines in a low stage of civilization are apt to decay, corrupted by coarse luxury, unless their energies are kept up by war. The Dane renews his attacks and there is no Alfred, Athelstan, or Edmund to confront him. The feeble 979
Ethelred, instead of iron, tries gold, with the usual result; tries massacre, with the result which it deserves. His successor, Edmund Ironside, is a hero, and during 1016
a few months of incessant battle holds up the head of the nation. On his death the kingdom passes by treaty 1016
to the Dane, who adds the English crown to those of Denmark and Norway, now formed by the growing power of the kings into regular states. But the Dane has become a Christian and not less civilized than the Englishman. Canute, though he waded to his throne 1017
through blood, when seated on it showed himself a Christian ruler, a ruler even ostentatiously Christian. The legend which makes him rebuke the flattery of his courtiers and refuse afterwards to wear his crown was not ill-invented. He displayed his piety by making a pilgrimage to Rome, where he obtained privileges for his people, and on his return he published an address to the nation instinct with Christian principles of government. He yielded to provincial spirit and the difficulty of ruling personally his disjointed empire so far as to divide the

realm into four great earldoms, a measure the consequences of which were disastrous to unity, and in the end to the life of the nation. Otherwise he seems not to have changed the polity. But he kept a standing army of house-carls or guards, on the footing of companionship-in-arms, and he evidently wielded despotic power. His two sons were weak; the second of them
1042 was a toper, who died as he stood at his drink. The English kingdom could not be permanently united with the Danish and Scandinavian kingdoms. The Danish dynasty came to an end.

1043 The native line of Cerdic was now restored in the person of Edward the Confessor. He was a bad specimen of ecclesiastical Christianity, a monk upon a throne which called for a strong man. His delight was in church-building and ceremonial. He begot no heir to his crown. Brought up as an exile in Normandy, he had a fatal fondness for Normans, who were better courtiers, subtler intriguers, and, if not more pious, more ecclesiastical than his English. The politics of his reign were a wavering struggle between the foreigners whom his weakness had allowed to thrust themselves into high preferment, and the native party headed by the great Earl Godwin and his heroic son Harold. At first the foreigners prevailed, by the help of the northern earls, who were jealous of Godwin and his son, the earls of the south.
1051 Godwin and his son were driven into exile, but they came back, they were welcomed by the people, and the for-
1052 eigners in their turn were expelled. The Norman Robert of Jumièges fled from the archbishopric of Canterbury
1052 and his pall, which were taken by the English Stigand, an act of presumption not unmarked by Rome.

Edward the Confessor having left no son, the witan exercised its right of election. Passing over Edgar Atheling, of Cerdic's line, a boy and in exile, it raised Harold the son of Godwin to a throne of which he had shown 1066
himself worthy both in politics and in war.

There seems to have been weakness in the state of England. Danish ravages and conquest could hardly fail to make havoc of the institutions as well as of the land. Many of the leaders of the people must have fallen in battle. The north was but imperfectly welded to the south. Provincial feeling was strong, patriotism was not. The great earldoms had overtopped the crown and divided the nation. The house of Leofric dominated in the north, while that of Godwin dominated in the south, and the two were drawing the kingdom apart. Political history through the reign of Edward the Confessor was a tissue of personal ambitions and intrigues. Perhaps as a consequence of the general insecurity and lawlessness produced by the Danish wars, the practice of commendation, which is one part of feudalism, had prevailed, and the people had been throwing themselves for protection at the feet of lords, becoming, instead of freeholders and freemen, vassals and prædial serfs. So it appears from a survey of the realm taken in the next reign. The slave trade, of which Bristol was the seat, and which was fed by kidnapping, is also a sign of social disorder.

The weakness tempted a mighty robber.

CHAPTER II

THE CONQUEST AND WILLIAM I

WILLIAM I. BORN 1027 ; CROWNED AT WESTMINSTER 1066 ; DIED 1087

IN France the Northman, turning, as he did in England, from pirate to conqueror and settler, had carved out from the kingdom of France a duchy, nominally granted by the king at Paris, and owing him a formal allegiance after the fashion of feudalism, which made the vassal's obedience due not to the king, but to his immediate lord, and bade him follow the lord to the field against the king. The Normans had adopted the French language and henceforth rank as Frenchmen. The last duke, Robert the Devil, to atone for the life by which he had earned his nickname, had deserted his duties as ruler and gone upon a crusade. He left as his successor an infant son, a bastard ; but the bar sinister, though disparaging, was not fatal in wild times. The boy, as he grew up, proved a great soldier and politician. No man could bend his bow, and the force of his frame bespoke that of his will. His strong hands strangled the serpents of feudal anarchy almost in his cradle. His life had been a struggle with rebellious vassals, hostile neighbours, and his suzerain of Paris, from which at once by generalship and statecraft he had come out victorious, enlarging his hereditary dominions at the expense of his neighbours. He had now set his

heart upon a greater prize. He had visited England in the lifetime of Edward the Confessor and had seen the kingdom without an heir, the oligarchy of earls divided, national spirit at a low ebb, Normans already in places of power. Upon the death of Edward, he laid claim to the crown of England. His claim was baseless. It was founded partly on an alleged but unattested promise of Edward, who in his last moments had named not William but Harold as his successor, and who, though his word might have weight with the witan, had no power of devising the crown; partly on an alleged engagement of Harold himself, who, having been shipwrecked on the French coast, had fallen into the hands of William, and by him, it seems, had been forced to swear that he would deliver England into the Norman's hands. To make the oath more binding, relics had been concealed beneath the table on which it was sworn, and the saints had been made parties to the fraud. Such was the sanctimony of the Norman. That the English king Ethelred had married a Norman princess could add nothing to the force of the claim. The election of Harold by the witan was decisive. But when the news was brought to William he broke forth into a paroxysm of wrath, denounced Harold as a perjured usurper, left the chase, hurried to his hall, assembled his vassals, and by his address prevailed upon them, unwilling as they were, to follow him in the invasion of England. He sent out invitations also to the roving soldiers of other countries, promising them lands and spoil. It is vain to split hairs on the question whether he was or was not a conqueror.

The enterprise had a double character; it was a crusade as well as a conquest. With the ambition of Will-

iam conspired an ambition not less grasping, not less ruthless, not less sanctimonious than his. Hildebrand, afterwards Gregory VII., though not yet pope, swayed the papal councils. He had formed a design, not only of setting the church free from secular influence, but of putting the profane powers of the world under the feet of the papacy, which to him presented itself as the one power of right divine. He sought, among other things, to enforce the celibacy of the clergy, as the seal of their spiritual purity, and to the end that, severed from all domestic and earthly ties, they might everywhere be the soldiery of the church. The church of England, in communion with Rome, and, venerating Rome as its mother, still retained its national character and a measure of national independence. Much in it was irregular to a high churchman's eye. No sharp line was drawn between church and state. The witan dealt with ecclesiastical affairs. There was no demarcation of the ecclesiastical from the temporal courts and law. The celibacy of the clergy was little enforced among a domestic and somewhat sensual people. Altogether the church fell below the Hildebrandic mark. There were besides special causes of complaint; the papal tribute, called Peter's pence, was irregularly paid; Archbishop Stigand had uncanonically intruded himself into the see of the fugitive Robert of Jumièges; had taken the mystic pallium with his own hands instead of suing for it at the hands of the pope, and, by afterwards receiving it at the hands of an anti-pope, had aggravated the offence. The Norman was a favourite of the papacy. Though a marauder he was ecclesiastical and everywhere pious and papal in his rapine. To bring Germany into subjection to the

Vicar of Christ, Hildebrand filled her with civil war. To bring England into the same subjugation he laid his curse upon her rightful king, blessed the unrighteous invader, and sent a consecrated banner and ring as pledges that the favour of God would be with the army of iniquity. The power which thus sought its ends is styled moral, in contrast to the powers of force. Superstition is no more moral than force, and to effect its object it has to suborn force, as it did in hallowing the Norman invasion of England.

All know the story. How William gathered an armament, the greatest that had been seen in Europe since the fall of the Empire; how Harold stood ready to defend his land; how fortune helped the invader; how the English fleet which guarded the channel was forced to put into port; how at the supreme moment Harold was drawn away to the north to cope with another invader, the famous corsair, Harold Hardrada, instigated by Tostig, Harold's disloyal and exiled brother; how Harold triumphed gloriously over the Dane at Stamford Bridge; how again rushing southwards he found the Norman disembarked in Sussex; how, besought by his brave brothers, as he was under the papal curse, to stand aside and let them fight for him, he replied in the spirit of Hector, who said that the best of omens was to be fighting for one's country; how he took post on the woody hill of Senlac covering the road to London, his house-carls or guards in the centre, the raw country levies on his flanks; how, with the consecrated banner of the pope borne before him, the Norman stormed the hill; how, after a long day's fight, the Norman's discipline prevailed over undisciplined valour, the Norman's 1066

mailed cavalry and bowmen prevailed over the English axe, and the last English king, his eye pierced by an arrow, lay dead with his brothers and his bravest round him on the fatal height. Harold slain, national resistance collapsed for lack of a leader; the young Edgar Atheling, grandson of Edmund Ironside, elected king in the hour of despair, proved a mere puppet and was never crowned; the great northern earls, Edwin and Morcar, were found weak, selfish, false to the national cause. William sagely presented himself, not as a conqueror, but as lawful king, promising to respect right and do justice; all bowed before his power and his policy; he was crowned with due elective forms at Westminster, a Saxon prelate taking part; though in the midst of the ceremony, to mark its real character, his fierce soldiery fired the city, and the rite ended in confusion and terror. His coronation made him lawful king and stamped resistance to him as treason, entailing forfeiture of land.

There ensued, as the invader's oppression, or rather that of his lieutenants was felt, local risings against him
1068 in Kent, at Exeter, at Durham, at York, and through the north. The rising in the north was the most formidable, as it was aided by the Dane, coming to reclaim the monarchy of Canute. To put it down forever the Conqueror laid the whole district waste, so that the people died by thousands of famine, and the country was thrown back for many a day. The most heroic stand was made in the Isle of Ely, a fortress of nature among the marshes, by Hereward, a popular hero, who gathered
1071 there a patriot band and held out long enough to bring the Conqueror himself into the field. Danish aid, once

more hovering on the coast, William bought off. The closing scene of the struggle is indicated by the Conqueror's law of presentment of Englishry, requiring the neighbourhood in which a man was found murdered to prove that the man was not a Norman, but an Englishman. A few, who preferred exile to submission, carried their English battle-axes to Constantinople and enlisted in the Imperial guard.

Forfeiture and confiscation followed the suppression of rebellion from district to district over the realm, till at last the bulk of the land, including nearly all the great estates, had passed out of English into Norman hands. There was left a body of small English freeholders, into which those who had before been great landowners sank down. Of the mass of the people the lot was prædial servitude, under several names and forms; of some of them actual bondage. Prædial servitude had probably been the lot of most of them before; but now they were under foreign masters, and the best authority holds that the succeeding age was probably one of increasing misery to the serf. The English language shared the degradation of the people, Norman-French taking its place as that of the ruling class.

Philosophic historians call the Norman conquest a blessing in disguise. Disguised the blessing certainly was to those whose blood dyed the hill of Senlac, or whose lands were taken from them and given to a stranger. Disguised it was to the perishing thousands of the ravaged north. Disguised it was to the whole of the people, enslaved to foreign masters, and for the time down-trodden and despised. But was it in any sense a blessing? Why was England in need of the Norman? Could not Harold,

her own elected and heroic king, have ruled her as well as the stranger? Could he not have united her, if it was union that she lacked, as well as William, and without laying waste the north? On the other hand there was formed the connection with France which led to the Hundred Years' War. The Norman conquest severed from England the Saxon lowlands of Scotland, and thus put off the union of Britain. In what was the Norman so superior? England had a polity, however rude or dilapidated. Normandy had no polity; it had only a feudal anarchy held down by an arbitrary duke. The attempt of some of its people to create a commune had been suppressed in blood. Private war was there the rule. England had laws, while Normandy had none. England had writers, such as Bede, Cædmon, Alcuin, and such a patron of letters as Alfred. Normandy had no literature of her own. In church art the Norman was more advanced, though his art was imported, and the Norman masonry in England is pronounced bad. England had arts of its own, such as embroidery and illumination; church art might have come in time. In time and with peace might have come magnificence, of which the Norman had certainly a larger share. In castle-building the Norman was pre-eminent. To England that curse had been unknown. The Saxon, no doubt, was heavy and home-loving. The Norman, nearer to the pirate stock, was active, venturous, and intriguing. Here again time was wanted. The independent self-development of a nation purely Teutonic, not in blood only, but in character and institutions, was lost to humanity. A pure Teutonic language was wrecked, and replaced by a medley, rich perhaps for eloquence or poetry, but ill-suited

for exact thought or science, so that it is compelled to borrow its scientific and philosophic nomenclature from the Greek. Civilization generally must have been thrown back by the havoc. These are questions for the historical optimist, although so completely did the Norman element at last blend with the English, that to doubt the beneficence of the Norman conquest seems like a disparagement of ourselves. The Norman is credited with a genius for political organization so superior as to compensate the evils of the conquest, with how much justice will presently be seen.

In rough times wager of battle may in some measure be a true test; might may be a real sign of right. But the victory of the Norman, hardly won, would not have been decisive had not the arrow pierced Harold's brain. Not by lack of worth was England lost, though it may have been lost partly by lack of national unity and military discipline. What was fatal was the lack of a leader in the hour of need.

Did feudalism come into England with the Norman conquest? That part of feudalism which consisted in commendation or attachment to a lord had been there before. Under the feudal system proper, as it was in France, the allegiance of the vassal was due to his local lord, and the great fiefs were principalities into which the kingdom was divided, leaving but a nominal supremacy to the king. Of this system the Norman William had experience, and against its introduction into his English kingdom he guarded by compelling all who held their lands by military service to do homage and vow allegiance directly to himself. Against the growth of principalities too strong for his control he guarded, or the

accidents of confiscation guarded him, by scattering the manors of the great lords all over the kingdom so that nowhere could any one lord command a great military force. He made exceptions only in border districts, such as Durham and Chester, where he sanctioned the existence of counties palatine or principalities as necessary bulwarks against the Scotch or Welsh. He gave no earldom to his sons.

To the constitutional antiquary must be left the question as to the origin of the feudal system. Grants of land to be held by military service seem the natural resort of a conquering power which wishes to hold and defend its conquests, be it Roman, Frank, Norman, or Turkish. Delegation of government to local chiefs seems the natural resort of every power without a central administration. Submission to a protector, or commendation, seems the natural resort of the weak in lawless times. Out of these elements the feudal system, in its various phases, may have sprung spontaneously and without imitation.

When complete the system was a polity of landowners holding their land with the jurisdiction, power, and rank attached, by military tenure, the grantee of the fief paying homage and owing fealty to the grantor throughout the scale, while the grantor owed the grantee, as his vassal, protection ; the king, as arch-landowner and supreme lord, being the apex of the feudal edifice. The system was such that two feudatories might be each other's lords and vassals in respect of different fiefs, and a king holding a fief in another kingdom might be the vassal of its king.

The Norman monarchy was an autocracy with an advisory council of feudal magnates, and practically limited

by the force of the military baronage which, however, could ill afford to weaken the hands of its chief while English hatred of the Norman conqueror still throbbed. Legal limits to the king's power there were none; but he had no standing army to enforce his will unless he hired mercenaries. His army was the levy of his military tenants, bound with their under-tenants to serve him for forty days. When the system was complete a quota of knights, that is, mailed horsemen, was furnished in proportion to the extent of the land. The king could also, when the Normans were restive, call out the fyrd, or national levy of the English people, though the mailed cavalry of the Normans was still the dominant force. He was at once captain, ruler, lawgiver, if mere edicts could be called law, and supreme judge, the distinction between those functions not having been yet made. Royal justice moved about with him over the kingdom. By him order was maintained, and his peace was the curb upon private war. Without his license no castle could be built. Of him, since the conquest, all land was supposed to be held. He was supreme ruler and landlord paramount in one. He was the head of the feudal hierarchy, receiving the homage of his tenants-in-chief, as they received the homage of their under-tenants. His revenues were the produce of his fourteen hundred manors, his feudal aids, dues, and fines, his justice-fees, and his fees and fines of other descriptions; the whole collected for him in each county by the sheriff, acting as farmer-general. He had a resource at need in Danegelt, an old impost imposed in the times of the Danish wars. He could tallage or tax at will the people of his own domain, his towns included. He had the right of pur-

veyance, or taking provisions and wains, practically at his own price, for himself and for his train. He had thus ordinarily no need to come to the nation for supplies, and was free from that limit to his power. He was the fountain of honour. He appointed to all the offices of state, and, under the forms of ecclesiastical election, to the great offices of the church. His title was still, not King of England, but King of the English, dominion being not yet regarded as territorial. He had no capital, but moved from one royal villa to another, consuming the produce of his manors on the spot. The monarchy was hereditary, yet with the form and even right of election still subsisting, though with limitation to the blood royal. Primogeniture prevailed; but the rule of succession was still unsettled; necessity would have the man rather than the woman or the boy; nor was the will of the last sovereign without its influence. The church, in crowning the king with religious forms, hallowed monarchy, and at the same time pledged it to duty. Of the divinity which afterwards hedged a king there was as yet but little, yet his majesty was revered, and loyalty to his person was felt. The offices of his household, those of the steward, the chamberlain, the master of the horse, which a Roman under the Empire would have spurned as servile, the Norman noble held with pride. The chief officer of the monarchy was the Justiciar, whose name shows that he represented the king as the dispenser of justice, and who in the king's absence was regent of the kingdom.

Thrice in the year, at Christmas, Easter, and Whitsuntide, at Westminster, Winchester, and Gloucester, the king kept high state, wore his crown, gathered round him the

barons, his tenants-in-chief, who formed the Great Council of his realm, took their advice on the affairs of his government, and with them dispensed high justice, of which the House of Lords is still nominally the supreme tribunal. Legislation, in our sense of the term, as yet was not. The sole law was the custom of the realm. Beyond this there were only ordinances or decrees. The degree in which the advice of the assembly prevailed would depend upon the personal character of the king.

Besides the common council of the realm meeting thrice in the year, the king must always have had a standing council, consisting of his ministers of state, the great officers of his household, and other objects of his personal confidence, for administration and justice. This was the Curia Regis. It was the germ out of which both the several courts of law and the departments of government were in course of time to be developed.

No mean part of the king's prerogative was his lordship of the royal forests, where he was really as well as legally absolute and his will made the cruel forest law. In the intervals of war the chase was the vent for the Norman's energies and his relief from the dull solitude of the castle. The modern squire seeks relief from the dulness of his country house in the pursuit of game, and the modern game law is the relic of that which guarded the Norman's chace. William laid waste a vast tract in Hampshire, destroying hamlet and church, to make him a hunting-ground. The struggle against the extension of royal forests and of forest law will be no small part of the battle of constitutional freedom.

It was in his character as supreme landlord that William caused to be made a survey and terrier of his king- 1085

dom, the famous Doomsday Book, in which are minutely set down the holdings, dues, and condition of all the people. Doomsday Book reveals the general dispossession of the English proprietary and intrusion of the Norman, under forms, however, of legal succession or acquisition beneath which confiscation is veiled. By the people the survey was regarded with horror as the precursor of a more searching taxation. William loved money as the engine of power, and drew a revenue, which though overstated by fabling chroniclers, was no doubt very large for those days. But the survey was also important as a step towards centralized government.

Between Norman and Englishman no legal line was drawn, no Englishman's land was confiscated on the ground of his race, nor to the Norman was any special privilege accorded except that of his trial by battle, while the Englishman kept his trial by ordeal. The existence of different race customs under the same government was in those times not unfamiliar. Saxon and Dane had their different tribal customs under Alfred. Law in primitive times was personal or tribal, not territorial. There was no legal impediment to intermarriage. A niece of the Conqueror was married to the Saxon Waltheof. Saxon landowners who retained their land apparently retained their general position. William steadily adhered to the fiction that he was the lawful successor of Edward the Confessor, and that the English as well as the Normans were his people. He had won England not for the Normans but for himself.

The aristocracy was territorial and military; military as created by conquest, as holding its estates by military tenure, and as forming a class dedicated to arms. Fiefs,

in their original conception beneficiary and granted for life, had become property subject to a relief on each demise together with other feudal rights and dues reserved for the grantor, as well as to the duty of service in war. They could not be alienated, but went entire to the eldest son or other heir, so that they were practically entailed, and formed, like the entailed estates of the present peerage, an enduring basis for the order. Each baron was a sovereign in his own manors, compelled the attendance of the serfs at his court, and governed them by his edicts, justice and police going with lordship, where the royal power in the king's person or that of his deputy did not intervene. Chivalry and knighthood with their class code of generosity and courtesy were confined to the military aristocracy. Afterwards, further to mark the distinction, armorial bearings come in. At first the sentiment of birth can hardly have been predominant, since adventurers had borne a part in the conquest. Private war, the evil privilege of feudal nobility, in which the Norman nobles rioted, was in England repressed by the king when his hand was strong. This was perhaps his greatest boon.

All tenants-in-chief were barons, a name of which the origin is uncertain; but the meaning probably is "man" of the king; a free man, perhaps, in contrast to the serf. Above the barons were the earls, territorial dignitaries with local command and revenues from their earldoms. Of these the Conqueror's policy created few, at least when rebellion had broken out among the Normans.

It has been said that the conquest was no breach of political continuity. The Conqueror did not mean to

uproot the institutions of his new kingdom, least of all those which were favourable to royal power. That he should introduce Norman institutions and laws was impossible, since Normandy had neither institutions nor laws. The Norman council may be called a continuation of the witan, though its legal powers, if it could be said to have any, were less than those of the witan had been.

The local organizations, shire, hundred, tithing, and burgh, with their assemblies, remained. The shire, or county, was still an effective district of administration and justice, though the name of the shire was changed to county, and that of the shire-reeve to viscount. It was destined to grow in importance, to be the unit of local organization, the local sphere of public activity, and at last the basis of electoral government. A great suit between the Archbishop of Canterbury and another prelate was decided in the Conqueror's reign by the county court on Pennenden Heath. Submerged, in part, for the present by the flood of conquest, the English system of local self-government was destined, when the flood subsided, to reappear. The continuation of these local organs of political life was the most valuable part of the heritage bequeathed by Alfred's England to that of later times. The national fyrd, or militia, was left in existence beside the feudal force, and to it when feudalism mutinied the kings were led to appeal. The shire with its sheriff or viscount appointed by the crown still formed the rudiment of a centralized government. But land held of the crown by a military tenure was the central idea of the Norman polity; whereas the English polity had been national, however decayed. In a return from

the basis of military tenure to a national basis constitutional progress will in a great measure consist.

At this time the Norman manor must have been everywhere the predominant mould of local life. The manors of a great lord being scattered over the kingdom were commonly managed and ruled for him by his steward, who exacted of the villain tenant his quota of forced labour on the lord's domain with such petty tributes in kind as were required by the rule of his holding. In return for this the peasant had his hut and his lot, with the privilege of pasture on the common of the manor, a relic of the tribal ownership of land in primitive times which has lasted down to our own day. The parish was commonly identical with the manor, and the parson shared authority with the steward.

The revolution extended to the church. The English primate Stigand and almost all the English bishops and abbots were, on various pretences, Rome conspiring, ejected, and Normans were installed in their room. Papal legates appeared in England, were received by William as gods, and inaugurated drastic reforms in the high church sense, which was the sense of William as well as of Rome. To a great extent, Hildebrand's will was done. A sharp line was now drawn between church and state; the church was henceforth to deal with matters ecclesiastical in her own assemblies apart from the council of the nation. She was to have her separate jurisdiction over spiritual persons and in spiritual causes. The bishop was no longer to sit with the sheriff in the shire court. That division was made between the temporal and the spiritual power, each with its own sword, from which were presently to flow antagonism and bitter

conflict. The arrears of Peter's pence were paid; celibacy was enjoined on the priesthood; everything was reformed on the high church model, so far as the rough English character would permit. Hildebrand demanded more. He called on William to do homage for his kingdom in token that he held it as a fief of the Holy See, again showing how far was the papacy from being purely a spiritual power. But the time for this had not yet come, nor was William the man. The kings before him, William said, had done no homage, nor would he. Instead of doing homage, he laid down rules which became principles of the English monarchy; that no pope should be accepted in England till he had been recognized by the king; that no papal missive or legate should be received without the king's permission; that nothing should be enacted at any synod without his consent; that without his knowledge no tenant-in-chief should be excommunicated and thereby debarred from the service of his lord. Norman kings appointed the bishops under the form of election by compliant chapters, much as the crown now appoints under the form of a *congé d'élire*. Only the Archbishop of Canterbury, being obliged to receive the mystical pall or tippet from Rome, owed his appointment so far to the pope, and represented before the crown the papal power. William, when a lord bishop guilty of a breach of feudal fealty pleaded his ecclesiastical immunity from secular law, showed that he understood the distinction between the spiritual and the temporal by arresting the feudatory with his own hand. There remained, however, the ineffaceable fact that papal authority had been admitted when its sanction had been sought for the conquest, while by severance of the

church, with its tribunals and assemblies, from the state, the king ceased to be, what the kings before the conquest had been, head of the church as well as of the state. As a necessary consequence came a separate church law with the appellate jurisdiction of the papacy in its train.

Not as ecclesiastics but as magnates and landowners the archbishops, bishops, and mitred abbots, lords spiritual as they were afterwards called, sat with the lay barons in the great council of the realm, of which by their number and intellectual superiority they formed a most important part, thus giving power to the ecclesiastical interest, but at the same time identifying it with the state.

In the character and learning of their high ecclesiastics, imported if not native, the Normans were superior to the English. The king did well for the English church and for himself at the same time by choosing as his minister in ecclesiastical affairs and his general adviser Lanfranc, prior of Bec. Though prior of a Norman abbey, Lanfranc was not a Norman, but an Italian, a scion of the church at large, and thus fitted to act as a mediator between races, with a mind liberalized by learning. He looked down upon the English, but did not hate them, identified himself with his new field of action, upheld the rights of the English church, made the best order that he knew, revived synodical life, promoted church-building and art. He enhanced the grandeur and influence of bishoprics by transferring them from villages to cities. He was a good specimen of the men whom the church could give to the state. Papal he was, of course, but he must have concurred with William in limiting papal claims. Whatever Lanfranc might do, however,

the spiritual shepherds of the English after the conquest, foreigners in race and language, would, in the eyes of the people, be foreign wolves. A Norman abbot, having quarrelled with his English monks, brings archers into the church to shoot them down.

England was a member, now more thoroughly than ever a member, of the religious confederation of Latin Christendom, the language of which henceforth was that of her church and generally that of her men of letters, ousting the vernacular English for many a day from literature and the service of religion. With the rest of that confederation, she was falling under the autocracy of the pope. The see of the Imperial city, surviving the Roman Empire, became, amidst the chaos of barbarian invasion that ensued, the natural centre or rallying-point of the Latin church; legend, which ascribed its foundation to the prince of the apostles, helping to establish its primacy. Its primacy, even its supremacy, might be useful when the pope was Gregory the Great, who declined as impious a title importing universal sway. But with Hildebrand opened an era of papal ambition, aiming at lordship not only over the whole church, but virtually over the state, on the ground that the spiritual was above the temporal, as though that warranted a claim on the part of the spiritual to the kingdom of this world. Papal dominion was supported in each country by the clerical order, whose privileges, however unreasonable, it upheld, and was extended by appeals to superstition, as well as by playing on the fears and rivalries of monarchs, while the papal councils, unlike those of other governments, never changed and were guided with an address above that of the rude kings

and nobles of the time. The papacy was fast becoming an empire, triple-crowned, of ecclesiastical ambition, encroaching on the domain and warring against the rights of national governments; and, though it sometimes lent a sinister support to patriotism, its political influence will be found, as we proceed, to have been as a rule upon the other side. Usurpation, indeed, could hardly be a blessing, especially when it had to be sustained by intrigue, forgery, and lies. The Hildebrandic papacy was in its very essence intolerant and persecuting; the enemy, therefore, of truth, of science, of progress, and of the highest civilization. It had in it from the beginning the extermination of the Albigenses, the persecution in the Netherlands, the massacre of St. Bartholomew, the Inquisition, the imprisonment of Galileo, the murder of Giordano Bruno. Its latest utterance, the Encyclical, 1864
still avows its tendencies and designs. It could never pretend even to universality, for, calling itself universal, it has always been Italian.

The church had wandered far from the hillsides of Galilee, on which peasant crowds listened to the simple words of life and love. It had become dogmatic, sacramental, ceremonial, thaumaturgic, sacerdotal, hierarchical, papal. It had framed for itself a body of casuistry and a penitential tariff of sin. It had set up the confessional and the influence which to the confessional belongs. It had invented purgatory and masses for the dead. It had imbibed into its own veins not a little of the polytheism which it slew, worshipping the Virgin and the Saints, adoring relics, practising pilgrimage. It had borrowed from the East asceticism and set up the ascetic ideal. It had adopted clerical celibacy, severing the clergy from

the commonwealth and the home. It had become intolerant and persecuting. Instead of subsisting by the freewill offerings of the faithful, as in its early days, it subsisted by compulsory tithes, using the arm of force to collect them. By receiving grants from feudal princes, it had been incorporated into the feudal system, and its chief pastors had become feudal lords, sometimes feudal soldiers, often ministers and courtiers of the powers of the feudal world. To strike the balance of its spiritual merits against its spiritual demerits with due allowance for the needs of a coarse and violent age would be extremely difficult, and is not our present object. It is with political action only that we have here to do. Politically the church did service, though by no means unequivocal, in curbing, by the assertion of its privileges, the despotic power of monarchs. It did service, though in a way injurious to its own spiritual essence, by furnishing to the rude councils of military kings and barons statesmen comparatively educated, comparatively large-minded, and comparatively studious of peace. It did a service still more gracious by opening, in an age of feudal aristocracy, the paths of preferment to the poor and low-born, whom it raised through its orders to high places, both ecclesiastical and secular; though in this good work it had a partner in municipal privilege, which sheltered the fugitive serf and admitted him to the fellowship of industry and trade. Against these political merits are to be set disorders arising from clerical privilege, which will presently be seen. The church fostered such literature as there was and generally the arts of peace, including that ecclesiastical architecture which by its grandeur and poetry impresses and

enthrals us still. On the other hand, by her dogmatic intolerance she crippled thought and fatally barred the advance of science. She gave us the Chronicles and the School Philosophy; she extinguished the lamp of Roger Bacon. A supreme tribunal of morality, social and intellectual, with a chancery of public law, was indeed a magnificent idea. But for its fulfilment it required such presidents as hardly any of the popes were, such detachment from temporal interests and ambition as never was shown by Rome. What the pure spirit of Christianity, working through, apart from, or against the ecclesiastical organization, may have done for the moral and social character, is a different question.

The wail of the English nation made itself heard at Rome. It touched, we are told, the hearts of some cardinals. But it smote in vain on the stony heart of Hildebrand. Guitmond, a Norman monk, who had crossed the sea at William's bidding, refused to stay in the conquered land and share its benefices, saying that God hates robbery for burnt-offering, and asking with what face he, one of an order whose profession it was to forsake the world, could share spoils won by war and bloodshed. He trembled, he said, as he looked on England lying before him one vast prey, and shrank from the touch of its wealth as from a burning fire. The Norman Gulbert of Hugleville had loyally followed his lord across the sea and fought well under his standard. Having seen William firmly settled on the throne, he went back to his Norman home, preferring his modest heritage there to wealth won by rapine. We can thus gauge the morality of the papacy as re-

presented by the most famous of popes, and determine its worth as the moral regulator of Christendom.

The monarchy, the aristocracy, the church in its political aspect, will for some time be the three pieces on the political board. By their interaction and collision, at first almost blind, the rudimentary constitution will be formed.

The towns are still very weak. They are little better than collections of wooden and thatched huts. Some of them had been shattered by the conquest. Over them frowned the Norman keeps; over London frowned the Norman Tower. London is a considerable place of trade; it shows military force; and in the distraction which followed the battle of Hastings it for a moment led the nation. But it seems to have had no regular government of its own, though it probably had the rudiment of a municipality in the form of a guild. It was through its bishop and its port-reeve that it received from the Conqueror the grant of a brief charter, or assurance of liberties. Of the other chief cities, York, the old Roman capital of the north, Winchester, Gloucester, and Bristol, not one can have exceeded the present measure of a petty town. The towns generally were mere clusters of houses, without municipal government, in bondage to the crown or the lord on whose manor they were, and liable to be tallaged or taxed by him not less than the rural serfs.

Pending the emancipation of the cities and the labourer, the aristocracy and the church, struggling for their own privileges, play in some measure the part of provisional champions and guardians of liberty.

As to the labourer, centuries must elapse before he

appears at all on the political field. Villainage or serfdom is his common lot, and the opprobrious meaning associated with the name of villain shows that the lot was despised. The villain was bound to the soil, and could be sold with it; though he could not be sold apart from it like a slave. The chattel slave, it has been conjectured, gained by elevation to villainage while the peasant or yeoman was degraded to it. Political rights the villain had none. In shire-mote or hundred-mote he was unrepresented. Personal rights he had against all men except his lord. Such was his social status. His industrial emancipation was in the end to be accomplished by legal decisions which recognized his customary right to his holding by the tenure of fixed services and dues. Political emancipation in time followed.

William was a strong ruler, and a strong ruler was a good ruler in those times. This the English chronicler admits, regarding him rather with awe than with hatred. He had strict notions of law, though he could wrest it to his will, and the forms which he respected were to become substance at a later day. He wished even to be merciful, and thought to show mercy by mutilating instead of putting to death.

Scarcely had he quelled the English when his struggles with Norman turbulence began. At a fatal marriage feast a rebellion against him was hatched by some of his chief nobles and insurrection broke out. He quelled the 1076
insurrection and put to death Waltheof, the last English magnate, who had at first been drawn into the conspiracy but had afterwards revealed it in confession, an incident which suggests that the Norman confessional may have served the purpose of detective police. William had given

Waltheof his niece Judith in marriage, a proof that he wished to draw to him the English nobility. But Judith, it seems, resented the marriage as one of disparagement, and used her influence against her husband. Then William's half brother, Odo, Bishop of Bayeux, who had blessed the Norman army at Hastings, fired by conquest, conceived a wild scheme of taking a body of William's liegemen away with him to Rome to carry the papacy by storm. Finally came a struggle of the Conqueror with a cabal of his restless feudatories in Normandy, headed by his own son Robert and backed by his jealous suzerain the king of France. Such was the superior genius of the Norman for political organization.

1078–1079

William's end showed the influence of religion. He sent for a holy man to be near him. In his last moment he commended his soul to Mary the Mother of God, the sound of whose church bells fell on his dying ear. If a chronicle is to be trusted, his conscience called up in long train the acts of his stormy life, the evil deeds which he had done, and the blood which he had shed in the path of his ambition. We see here the action of a moral restraint unknown to Attila or Timur. Of this the church in virtue of such Christianity as it embodied, was the organ. Yet it had not availed to prevent the crime, and to the sufferers, at all events, the deathbed repentance was little worth.

When William expired, general panic ensued, and men fled to their possessions, looking for a reign of anarchy and pillage. The corpse of the Conqueror lay naked and untended till a knight of the neighbourhood took it into his pious care. So momentous was the king's peace, which was suspended by the death of the king. The oppressed

people of England had half forgiven the oppressor for the good peace which he had made.

At length the Conqueror reached his last resting-place in his own magnificent church at Caen. Round the bier stood the nobles and prelates of Normandy. The Bishop of Evreux pronounced the funeral oration, rehearsing the great deeds of the departed, and asking the prayers of the assembly for the illustrious soul. But as the corpse was about to be lowered into the grave, Ascelin Fitzarthur, a private citizen, stood forth and forbade the burial, saying that the ground was his and that he had been wrongfully deprived of it. He was promised the full value of his land. Underneath institutions or changes of institutions and the conflicts between political forces lies the Teutonic spirit which makes each man an Ascelin Fitzarthur or a Hampden in standing up for his right. The Norman conquest of England was at all events a conquest by kinsmen, though kinsmen who had changed their name and tongue.

CHAPTER III

THE SUCCESSORS OF THE CONQUEROR

WILLIAM II

BORN 1060; SUCCEEDED 1087; DIED 1100

THE Conqueror on his deathbed left Normandy, as the patrimonial domain, to his eldest son, Robert, an adventurous and chivalrous soldier, but unfit for rule. Of England, which required a strong ruler, he hesitated, or affected to hesitate, to dispose, as it had been won by bloodshed. But at last he nominated his second and favourite son, William. With a letter to Lanfranc,
1087 William sped from the bedside at Rouen while his father still lived. Lanfranc, having read the letter, did the Conqueror's will by crowning William Rufus. William thus mounted the throne by nomination, without, so far as appears, any form of election, though Lanfranc pledged him to good government.

With the reign of the Conqueror's successor comes a struggle, first between the crown and the baronage, then between the crown and the church.

In character as in person the red-faced and round-bellied Rufus was a coarse and debased likeness of his father. He shared the Conqueror's force. He had something of the Conqueror's greatness of soul. He puts to sea in a storm and bids the seamen fear nothing, for no

king was ever drowned. He takes into his service the gallant soldier who had unhorsed him in combat. The enemy to whom his word has been plighted he lets go, though braved and threatened by him, bidding him do his worst. He curses his chamberlain for bringing him boots which had cost too little, and is satisfied when a pair is brought him which, though not better, had cost a more royal price. He builds an immense hall at Westminster and says that it is a bed-chamber to the palace which he is going to build. He magnanimously refuses to question the good faith of a knight. He had been a dutiful son, always at his father's side; and though he was rapacious, and was not pious, he spent the treasure bequeathed to him freely in masses for his father's soul. It has been said with apparent justice that Rufus was a man of honour with a caste code, who behaved like a gentleman and kept his word to his own circle, while he trampled on the rights of all below.

His force, the king had soon occasion to show. The 1088
Anglo-Norman nobles again displayed their superior genius for political organization by breaking out into feudal anarchy. They did not want to be cut off from Normandy, and they preferred the weak Robert to the strong William. But they found their master. Rufus called for aid, not only on the tenants of the crown, but on the national levy of the English generally or in some districts. His call was heard, and Odo of Bayeux, the soldier-prelate of the conquest, and one of the worst oppressors of the conquered people, left his fortress, which he had been compelled to surrender, amidst the jeers of an English host. The subject race for a moment lifted its head and tasted revenge. Rufus put his feuda-

tories down and held them down. All that his father
1091 bequeathed to him he kept. He added Cumberland, which he wrested from Scotland, forcing the king of Scots to pay him homage. He restored and fortified Carlisle; he carried the conquest into South Wales.
1095 Unhappily he afterwards became master of Normandy, which fell into his hands through the thriftlessness and recklessness of his brother Robert, and thus renewed a connection destined to be the source of endless woe. A second rising of the great barons was put down with the same vigour as the first.

William of St. Carileph, Bishop of Durham, had been implicated in the rebellion. When he was called to account he pleaded ecclesiastical privilege, thus raising the question between church and state. The king and the great council overruled his plea. He was ejected from his see and banished from the realm.

While the great Lanfranc lived, his pupil seems to have kept some bounds. When Lanfranc died, the evil nature of Rufus broke loose; it broke loose with a vengeance, as an evil nature is apt to do when the restraint is not conscience but an external authority or a formal system, such as that of the medieval religion. The king became a monster of tyranny and lust. He filled his coffers with the fruit of his lawless exactions, and his dungeons with the victims of his injustice. He did not marry; his bachelor palace was a den of sensuality; he gathered there a circle of young nobles whose habits were as infamous as his own, and among whom, when the lights were extinguished at night, unspeakable scenes of debauchery ensued. He became impious as well as tyrannical and immoral, scoffed at religion, set Christian

priests and Jewish rabbis to tilt against each other in argument before him, declaring himself open to conviction, and for a fee undertook to reconvert to Judaism a Jew who had been converted to Christianity. So the chroniclers tell us. The vices and the effeminate fashions to which the young Normans are said to have been addicted are a strange comment on the alleged superiority of the ruling race. Nor do the unchecked debaucheries and impieties of the king say much for the moral authority of the Norman episcopate or of the papalized church. What sinner, what heretic even, was to be excommunicated, if Rufus was not?

A minister of his extortion Rufus found in Ranulph Flambard, or the Firebrand, a clever and knavish priest, who at last, as Bishop of Durham, partly atoned for his roguery by his share in building the mightiest and most impressive of the old English cathedrals.

Flambard, as justiciar, is credited with having reorganized and perfected for the purpose of fiscal exaction the whole system of feudal claims and dues. The theory of Flambard and the feudalists was that the fief was still a benefice or grant, reverting to the lord as grantor on each demise of the tenancy, and for the renewal of which the lord was entitled to levy a fine or relief. To prevent intermission of the service due to the lord through the minority of the heir, the lord was entitled to the custody of the fief. That heiresses might not marry an enemy of the lord, he was entitled to dispose of their hands in marriage. Regular aids were to be due for the ransom of the lord from captivity, for knighting his eldest son, and the marriage of his eldest daughter. Besides all this there were to be escheats upon failure of heirs, forfeitures

for breach of fealty, fines for failure of service. The whole formed a code of feudal property laws, and in such hands as those of Flambard, a network of chicane. Rufus and Flambard exacted excessive reliefs, pillaged the estates of minors, sold the hands of heiresses, and imposed exorbitant fines. The royal rights of forest could not fail to be abused for the purpose of fiscal extortion, as well as through the cruelty of the forest laws, carried to the highest pitch by a monarch whose passion was the chase. Rufus seems also to have been taught by his justiciar to make himself executor-general to his subjects, and in that capacity to have seized on the personal effects of the deceased. Another instrument of extortion was the Jew, who had prowled as usual on the track of conquest, and, being protected by the king, whose chattel he was deemed to be, in the practice of usury which was forbidden to Christians, acted as a sponge which when filled could be squeezed by the arbitrary hand of the king. What the tenant-in-chief owed to his lord, the undertenant owed to the mesne lord, so that oppression might work downwards through the whole feudal chain from the lord paramount to the tenant paravail.

There does not seem to have been any resistance to the tyranny on the part of the lay feudatories or people. The council of barons apparently exercised little power. Ranulph Flambard filled the treasury and enabled the king to keep bands of mercenaries, of which unsettled Europe supplied plenty, in his pay. Such resistance as there was came from the head of the English church, and it forms a memorable episode in the history of relations between church and state.

Among other devices Flambard asserted that the

estates of bishopries and abbeys, as fiefs, not only were liable to the same services as other fiefs, which in reason they were, but were subject to lapse during vacancies into the hands of the lord, as lay fiefs were subject to wardship. Bishopries and, still more, abbacies were kept vacant, the king refusing to nominate, while the profits of the estates, raked in by Flambard, swelled the revenues of the crown. The simoniacal sale of bishopries was also an item in Flambard's budget.

The archbishopric of Canterbury was vacant on the 1089
death of Lanfranc. The king kept it vacant for four years and drew the revenues of the see. He was thus rid, moreover, of the archbishop's authority; and, as there were two popes in the field, and he had not acknowledged either Urban or Clement, he was rid of church authority and restraint altogether. The church of England was without a head; her corporate life was suspended; no synod could be held, no canons could be made, nothing could be done to reform the scandalous manners of the court. Popular grievance missed its tribune; there was no one who could appeal with authority for the suffering people to the conscience of the king. They besought the king to fill the see. They tried to prevail with him in a delicate way by begging his leave to have prayers said that his heart might be turned and that he might be moved to give the church a chief shepherd. He said they might pray as much as they pleased, but he swore by the holy face of Lucca, his favourite oath, that there should be no archbishop in England but himself.

Rufus, however, fell sick, and, as his free-thinking was 1093
of the heart, not of the head, it gave way, and he had a fit

of repentance in which the prison doors were opened and promises of amendment, restitution, and reformed government were made. He consented also to fill the see of Canterbury. Anselm, the abbot of the famous Norman Abbey of Bec, was then in England, and had been consulted in the case of the king's soul. The general wish of good churchmen designated him for the see. He is one of the most beautiful and sweetest characters of the middle ages, a saint indeed, not a fakir of asceticism, combining piety, meekness, humility, simplicity, freedom from everything carnal or worldly with active benevolence and virtue; so at least his loving attendant and biographer, Eadmer, has painted him. Born at Aosta, beneath the spiritual glories of the Alps, he had conceived longings for the perfect life, that is, the life of the monk, which led him to leave his parents, who fondly opposed his desire, and his home. He wandered to Normandy, where he entered the Abbey of Bec, Lanfranc's abbey, and became its prior, then its abbot. His name was now in all the churches as theologian, as educator, as spiritual director. As a theologian he was the precursor of the school divines, yet evangelical, and the author of a metaphysical proof of the existence of God which long held its place in religious philosophy; nor have his works been consigned to oblivion. As an educator dealing with the school which according to custom was attached to his monastery, he was the apostle of a gentler and better method than flogging, the established treatment in those days, and when a schoolmaster complained to him that though he was always flogging his boys they did not get on, he answered that the reason why they did not get on was that they were always being flogged. As a spiritual director he

was the most consummate of the fishers of men. The jealousies and cabals of which monasteries were the hotbed, and which his appointment at first stirred, soon disappeared before him. The malice of a young novice who had persecuted him was by his gentle skill turned into passionate and, if a monastery could admit romance, romantic friendship. By force of sympathy he could work what a simple age took for miracles in conjuring away the hideous phantoms bred by the morbid fancies of men, some of whom had turned monks after a life of wild crime, some from impulses half insane. He was active also in the infirmary. His benevolence embraced even suffering animals, the hunted hare and the captive bird. He had visited England in the last reign, had found Lanfranc turning the English saints out of the calendar as the English bishops had been turned out of the sees, and had stayed his hand, telling him that Elpheg, whom Lanfranc was about to discard as a martyr not to religious truth but to patriotism, in being a martyr to righteousness was a martyr to the truth. In the saint's presence the Conqueror had put off his pride. On his deathbed he had sent for Anselm, whom sickness prevented from answering the call. Anselm had now come to England, partly on the business of his abbey, which held English estates, partly to assist Hugh Lupus, or the Wolf, the fat earl of Chester, a licentious soldier of the conquest, in the reorganization of a monastery to redeem the earl's soul. Rufus, before his sickness, suspecting that Anselm had an eye on the archbishopric, had made him the butt of his jests; but when he was sick he resolved to appease heaven by a holy nomination. We may believe Eadmer when he says that Anselm was

unwilling to be made archbishop. Even the temporal business of his abbey had been a burden to him; how could he, saint, philosopher, and philanthropist, wish to be lord and manager of a great fief with all its obligations, military as well as civil, and at the same time head of the English church and chief counsellor of a king, that king being William Rufus? To put him at the side of such a monarch was, as he foresaw, to yoke an old and feeble sheep with an untamed bull. But they dragged him to the king's bedside, they forced the pastoral staff into his clenched hand, they raised the Te Deum over him, and bore rather than led him, still resisting and at last fainting, into the church. Anselm continued to struggle against the dangerous promotion, objecting his allegiance to the Duke of Normandy, his duty to his abbey. His objections were swept away and he was consecrated and
1093 enthroned as archbishop. Flambard, according to Eadmer, obtruded his insolence even on the consecration day, by commencing a vexatious suit against the archbishop.

Rufus got well, and his last state, according to the chronicler, was worse than the first. All the oppression and extortion began again, and the prison doors closed upon the captives. When a bishop remonstrated, the king's answer was, "By the holy face of Lucca, God shall never receive good at my hands for the evil I have received at his." Soon he began to quarrel with his saintly archbishop. First he tried to extort blackmail for the induction of Anselm into his see. Anselm, fearful of the reproach of simony, nevertheless for the sake of peace offered five hundred pounds. Rufus, by malignant advice, rejected the gift, and the archbishop fell from the king's grace.

Anselm now addressed himself to the moral disorders of the young courtiers, their effeminate extravagance in dress, and their flowing locks. He preached on Ash Wednesday, we are told, with such effect that many debauched heads were submitted to the barber. But when, seating himself by the side of the king, who was bound for Normandy, he prayed him to restore religion and let a synod be called to that end, the king's answer was rough. Still rougher was it when Anselm conjured him to let the abbacies be filled that monastic order might be restored. Anselm sought the advice of the bishops. The bishops, men of the world, who had probably bought their own mitres, could only suggest the offer of a round sum. It was thus that they read the riddle of the king's answer to Anselm's prayer for restoration to royal favour, "that he would not do it because he knew of no reason why he should." Anselm declined to shear his already close-shorn tenantry. The king refused to take Anselm 1095
back to his grace, broke out into a storm of hatred, and departed for Normandy without the primate's blessing.

Anselm now asked the king's leave to go to Rome and receive the pallium from Pope Urban. The king had returned in a bad humour from an unsuccessful expedition. His wrath flamed out. Urban had not been recognized by him, and the primate, he held, was committing treason against the custom of the realm which forbade the acceptance of any pope who had not been recognized by the king. As to the custom, Rufus was right; but Anselm, while he was Abbot of Bec, had recognized Urban, and before his consecration as archbishop he had stipulated that this recognition should hold good. It seems he had put up with an ambiguous answer; if he

did, his bashfulness cost him dear. The dispute came to a head, and to settle it and condemn Anselm, if he was guilty of a breach of allegiance, the grand council of the tenants-in-chief, including the prelates and abbots, was called.
1094 It met at Rockingham Castle, on the verge of a wild forest, where Norman power was most terrible, though a churchman would generally be secured against violence by his order, even in a tyrant's hold. The council was held in the castle chapel. In a chamber apart sat the king with his two chief councillors, William of St. Carileph, Bishop of Durham, who had now changed his convictions as to the relations of the church to the state, and Robert, Earl of Mellent, the Achitophel of his age, prosperous under every star, and the glass of fashion as well as of statecraft. The bishops, under the influence of the crown, perhaps also in some measure from political conviction and desire of peace, did their best to persuade Anselm to give way. Give way on the principle he would not, though he was anxious to do anything for peace and fervent in his expressions of loyalty to the king. As the bishops would not stand by him and give him faithful counsel, he declared that he would betake himself to the angel of counsel, the universal shepherd, the pope; he would render to Cæsar the things which were Cæsar's, to God the things which were God's; in things which were Cæsar's obey the king, in things which were God's obey Peter. As Peter was not God, but an Italian priest, this was an avowal of divided allegiance. While his enemies were in consultation Anselm retired into a corner and fell asleep, a sign which was not lost upon Robert, Earl of Mellent. If we may believe Anselm's biographer, he received a proof of popular sympathy from

a knight who, stepping forth from the crowd, knelt before him and bade him be of good cheer and emulate the patience of Job. After two days' debate the king called peremptorily on the bishops and barons to pronounce sentence of deposition. Here he found the moral limits of his own power. The bishops dared not depose their primate, the barons shrank from launching against the ecclesiastical chief of their own order a bolt which might recoil upon themselves. The king's wrath was vented on the bishops, in whose shame Anselm's biographer triumphs. The end was an adjournment of the council and a truce which the king at once broke by a persecution of Anselm's friends.

The king and his party now changed their tactics. They would recognize Urban as pope, and get him to rid them of Anselm. Here they were playing against Italians more than a match for them in subtlety. Two clerks of the king's chapel, William of Warelwast and Girard, went on a path, afterwards well trodden by kings' envoys, to Rome, to see how the day was going between the pope and the anti-pope. They returned, bringing with them as the pope's representative Cardinal Walter, Bishop of Albano, the first papal envoy seen in England since the legates who had done Rome's part in the conquest. The cardinal dallied till Anselm's friends took fright and began to cry out against the venality of Rome. But in the end the king got from him nothing but courtly and unctuous words. Rome understood her game too well to sacrifice Anselm. Not even a large bribe which Rufus offered could tempt her to sell the keystone of her arch of power. There was nothing for it but a reconciliation, which took place

after a vain attempt on the part of the bishops to cajole Anselm into buying back with money the king's favour. The courtiers tried to persuade the cardinal at least to pay the king the compliment of letting him bestow the pallium. The Italian knew better. He laid the pallium on the altar at Canterbury and let Anselm take it thence, as it were from the hand of Peter. Two of Anselm's enemies among the bishops avowed their penitence and were absolved. There ensued a hollow peace with an outward show of amity which gave Cardinal Walter occasion for saying how blessed a thing it was to see brothers dwelling together in unity.

1096 The peace did not last long. Robert of Normandy going on crusade to raise funds for his outfit, mortgaged his duchy to Rufus. To raise the loan, Rufus laid his hands on everything, sacred or profane, on the reliquaries, the holy vessels, the golden facings of the missals. Anselm was pressed for his contribution. With the advice of two bishops, he took from the treasury at Canterbury two hundred pounds, making it up to the church by a mortgage of one of his own estates. Rufus, however, presently renewed his persecution of Anselm, on the pretence that the Canterbury fief had not furnished its contingent duly armed for a campaign in Wales. Meantime there was no hope of reform. The spoliation of churches and monasteries still went on. Vice still reigned, and the king was still the chief sinner. Anselm resolved to go and cast his burden on Peter. Attending the court at Whitsuntide, he asked the king for a license to leave the realm, and was met with a scoff; "he had committed no sin needing absolution, and for advice, he was better able to give it to

the pope than the pope was to give it to him." At a meeting of the great council which followed, the request was renewed and was again refused, with a threat of seizure of the primate's estates if he left the realm, which, however, as it touched fiefs generally, seems to have bred some division in the council. There was more parleying between Anselm and the bishops, who told Anselm that he was a saint, that they were not saints, but men with earthly ties, that they could not afford to break with the king, and that they advised him to give way. Money, they always hinted, was the sure passport to the king's grace. That no one should go to Rome without the king's leave was undoubtedly the law, and here the king had the barons on his side. Anselm contended that if he had promised to obey the law of the realm, it was with a tacit reservation of his duty to God, a plea which even untutored soldiers might perceive to be subversive of good faith. As he went on discoursing, the Count de Mellent exclaimed that he was preaching a sermon, not reasoning to men of sense. Anselm had clearly again proclaimed the doctrine of an allegiance divided between the king and Peter. He was warned that his estates would be seized, and that he would be allowed to take nothing with him out of the kingdom. He meekly parried the threat, and desired that, as he and the king might never meet again, the king would at parting receive his blessing. Rufus sullenly bowed his head to receive it.

At the port, Anselm underwent the indignity of search. 1097
The estates of his see were seized. At the papal court, he was received with the highest honour as the pope of another world. In the Council of Bari he shone as the 1098

great theologian of the day, vindicating the orthodox doctrine of the Procession of the Holy Ghost against the heresy of the Greek. In his exile, though stripped of his estates by royal wrath, he did nothing hostile or disloyal to the king. On the contrary, when the papal thunderbolt was about to be launched against the enemy of the church, he arrested it by his prayer. Presently, however, he found the papal support failing him; the gold of Rufus had prevailed against him at Rome, and he went into pensive retirement at Lyons. Assuredly, if ever the church rendered a political service by opposing moral to physical force and curbing the arbitrary will of kings, she did it in the person of Anselm.

Rufus went on in his old courses. Like other Normans, he was a mighty hunter, and one of the most grievous parts of his tyranny was his savage execution of forest law. One morning at the royal seat of Winchester, after a night of bad dreams, he had dark presentiments. But in the afternoon, having dined and drunk deeply, he recovered his spirits and went out to hunt in the New Forest, which his father had made by levelling church and hamlet with the ground. At even-
1100 ing there came to Winchester a party of peasants bearing on their rough cart a corpse which they had found in the forest. It was that of Rufus, with an arrow in the heart. Who shot the arrow was never known. Walter Tyrrell, who had been with Rufus in the forest, fled. Monks had dreamed prophetic dreams; the news was spread in miraculous ways; there had been a plot before for slaying Rufus in a forest. Probabilities point to tyrannicide, a fact of political significance in its way. The Red King was laid without religious rites

in a lowly tomb. None, we are told, wept for him saving hirelings and harlots; yet Anselm, who is said to have wept, would feel that he had lost a soul.

HENRY I

Born 1068; Succeeded 1100; Died 1135

The struggle still goes on between the crown and the baronage, and that between the crown and the church is renewed. The crown is somewhat weakened by breaks in the succession.

Robert, the Conqueror's eldest son, was far away on a crusade. Henry was on the spot. He galloped to Win- 1100
chester, seized the treasure, thrusting aside its keeper, De Breteuil, who barred his way in the name of Robert, the legitimate heir, and had himself elected king. The nature of his title and the elective character of the monarchy he clearly admitted, designating himself as elected by the clergy and the people, that is, the baronage, the only people of account. He had the advantage over his brother of being born in England. To win support, he published a charter, the prototype of a greater charter to come, granting redress of grievances. The church of God shall be free, not sold or put to farm; nothing shall be taken from her during the vacancy of bishopric or abbey; from the heir of the tenant-in-chief, no more than a first and lawful relief shall be taken; and as it is done by the king to his tenants-in-chief, so shall it be done by the tenants-in-chief to their under-tenants; if a feudatory incurs forfeiture, he shall pay only a fixed fine; the abuses of marriage and of wardship shall cease; bequest of personal property shall be free, and the per-

sonalty of an intestate shall go to his family; debts owing to the crown are forgiven, suits set on foot by it are stayed; the coin shall no longer be debased; the hundred shall no longer be blackmailed on a pretence of its responsibility for a murder. The forests Henry, having the family passion for the chase, refuses to resign. An immunity from fiscal extortion granted to the domain lands of the knights reveals the existence of a class of landowners below the baronage, a class of country gentlemen destined hereafter to be of the highest political importance. Firm peace is to be established throughout the realm. To the English people generally is promised the law of King Edward, which to the English ear meant the good old times. Manners are to be reformed, and the palace is to be swept clear
1100 of its vices and lighted at night. Anselm is recalled with honour. Flambard is thrown into prison, though
1100 the rogue manages to escape by letting himself down with a rope conveyed to him in a pitcher of wine. The vacant bishoprics and abbacies are filled with learned clerks. There is general joy, and everybody says that the Lion of Justice foretold by Merlin has come.

A lion had indeed come, and in some measure he was a lion of justice. The Conqueror's gifts seem to have been shared among his sons. Robert had his spirit of adventure, William his prowess as a soldier, Henry his statesmanship. Henry is not unqualified for the command in war, which is still regarded as one, perhaps as the first, of the duties of a king; but he prefers the arms of the cabinet. The times are growing milder and more civilized; there is a faint revival of literature and elegant Latinity; the University of Oxford is born.

War itself is becoming, among the knights at least, less savage and more of a tournament. Henry had shared the general influence; he was surnamed Beauclerc; he was a naturalist, and had a zoölogical collection at Woodstock. He was as cold-blooded as his brother had been hot-blooded, and as calculating as his brother had been impulsive. From his eyes, described by the chronicler as soft and mild, a light not soft or mild must sometimes have gleamed. A wrong he seldom forgave, an insult never. The troubadour who had satirized him was blinded; a faithful servant was severely punished for a light word. Conan, the rebel of Rouen, Henry led to the top of a high tower, and, after showing him in mockery the fair scene below, to the command of which the rebel had aspired, with his own arms flung him down.

Scarcely had the new king seated himself on the throne when Robert, covered with glory from the crusade, arrived to claim his birthright, and invaded England 1101
with a Norman army, Flambard having debauched the fleet which watched the channel. He might have taken Winchester, the royal city, and the treasure-house; but the queen lay there in child-bed, and the crusader, by refusing to attack her, showed that the era of chivalry was fully come. The principles of election and legitimacy as titles to monarchy now confronted each other. In face of a Norman army, such as had conquered England, stood an army partly of Normans, partly of English. Henry, we are told, went among the English foot-soldiers teaching them how to meet the Norman horse. But prudence, kinship, the interest and pride of race, prevailed, and a treaty was made, Henry keeping England,

Robert Normandy, for life, with cross remainders, and
1101 Henry paying Robert yearly three thousand marks, for which sum the gallant spendthrift, who was said to have to lie abed because he had pawned his clothes, was willing to sell his birthright. This introduced another sort of title to the kingship, which was here settled like a private estate subject to contract, mortgage, and devise. Still, within the limits of the royal line, the strong man, or the man of the hour, was king.

In the moment of peril Henry, like his brother, had appealed to the English. To bind them to him he mar-
1100 ried a Saxon princess, Matilda, daughter of Malcolm Canmore, king of Scotland, and of Margaret, the sister of the English Prince Edgar Atheling. Normans might scoff at "Goodman Godric and Dame Godiva," but Henry kept his Godiva till she had borne him an heir; then he allowed her to become a nun. That this was policy, not feeling for the subject race, Henry showed by a constant preference for natives of Normandy, especially in appointments to bishoprics and abbacies.

A king who meant to govern, as King Henry did, was sure to come into collision with the baronage, and the hydra of feudal anarchy had been stirred by Robert's advent. Henry showed his force. Robert Malet, Robert De Pontefract, Ivo De Grandmesnil, were brought to trial; the first two were banished, and all were fined or stripped of their estates. Most formidable and worst of all was Robert De Bellesme, a Norman Eccelino, who loved cruelty for its own sake; spared his enemies in war that he might see them die of hunger; impaled men, women, and children; burned a church with forty people in it; and, in sheer fiendishness, put out the eyes of a

chrisom child as it lay in his arms. The monster feigned submission while he strengthened his castles, and called to his aid the wild Welsh, ever ready to abet rebellion and to maraud in England. Henry took the field in force, again calling on the English, and Bellesme's last stronghold fell. The Norman nobles, alarmed at the display of royal power, had essayed to mediate. But the English in the king's army shouted to him to press the siege. Bellesme, we mark, though hated, was not excommunicated by his caste, which, on the contrary, interposed in his favour, another comment on the superiority of Norman character. A little money sent the Welsh back to their hills, while Scotland, the other source of disturbance without, was kept quiet by the king's marriage. By fines, confiscation, and banishment the great houses of the conquest were brought to the ground, and they owed their overthrow in part to the arms of the conquered race.

Politically the land had peace. But the conflict presently recommenced between the crown and the church, Anselm, the greatest lover of peace and charity, being again destined to light the torch of discord. England was involved in the great European quarrel between the papacy and the lay powers on the subject of ecclesiastical investitures. Since his restoration Anselm had twice done the crown good service. At the time of Robert's invasion he had brought to Henry the support of the English, and he had set aside by his religious wisdom a casuistical objection raised against the king's marriage with Matilda, on the ground that she had once, to escape violence, put on the veil of a nun. But he had brought back with him from Italy the Hildebrandic doctrine about the profanity of lay investiture and of doing hom-

age to lay lords for ecclesiastical fiefs, for which the papacy was filling the German Empire with parricidal war. This was a new light that had dawned upon Anselm, for he had himself, when appointed to the archbishopric by Rufus, not only done homage to the king like a lay baron for the temporal fief, but received without any scruple, from the king's hand, the pastoral staff and ring. He now refused to do homage to the king for the estates of his see, or to consecrate bishops who received investiture at the king's hand. The king insisted on his claim, sustained as he was in regard to homage by the manifest right of the state, which could not have brooked the existence of a separate realm within its realm. In Henry Anselm did not encounter a second Rufus, furious and profane, but a cool-headed, decorous statesman, studious of appearance as well as tenacious of his aim, and one who, though the father of a crowd of bastards, was formally religious and a founder of religious houses. Henry, till his throne was firmly established, let the question sleep; then he pressed his claim. Anselm, as before, was meek, peace-loving, loyal, and always addressed the king, his temporal lord and spiritual son, in the language of respectful affection; but, as before, he adhered firmly to his principle. There was an appeal to Pope Paschal, who, of course, decided in favour of ecclesiastical independence and aggrandizement. Henry insisted on a second appeal. The Archbishop of York and two bishops on the king's part, two monks on the part of Anselm, argued the case once more before the pope, and once more Anselm's envoys brought back the pope's judgment in Anselm's, that is, in his own favour. The king's envoys protested that the pope had

given them a different decision by word of mouth, and it is not unlikely that the wily Italian had sought by cajoling them in private to temper the ire of a mighty king. In the great council which was held to settle the question, the king's spokesman contended that a scroll of parchment was not to be believed against the word of three prelates, and that the monks being by their vows dead to the world could not be heard in a worldly case; to which it was answered that the Gospel itself was a scroll and that the case was not worldly. The bishops as well as the lay barons were again with the king. Anselm, ever pacific, consented to a third reference, undertaking while it was pending to refrain from excommunicating bishops who had received lay investiture. Of this the king took advantage to treat his claim as conceded, to appoint to bishoprics his chancellor and an officer of his household, and invest them with the staff and ring. An attempt was made to trepan Anselm into consecrating these two men together with William, Bishop-elect of Winchester, who had received the staff and ring in the canonical manner. Anselm having refused, the Archbishop of York was ordered to officiate in his place; but the faithful William declined to be so consecrated, and the bishops, filled with confusion, as Eadmer says, at this rebuff, went, amid the execrations of the people, to lay their complaint before the king. William, standing firm against the storm of reproaches and menaces, was stripped of his goods and expelled the realm, Anselm seeking justice for him in vain. The king now made an opportunity of visiting Canterbury to try the effect of a personal interview on the archbishop, who had by this time received from Rome letters which he forbore to

publish, directing him to excommunicate his opponents. The king vowed that he would not for his kingdom give up the right which he had inherited from his predecessors. Anselm declared that he durst not for his life betray the principle which he had heard solemnly laid down in the council at Rome. Tears, Eadmer tells us, came into the eyes of those who were present at the thought of the evils which again impended over the church. The king had now nothing left for it but to get Anselm out of the kingdom; and he succeeded in persuading the aged primate to go in person to Rome. For Rome Anselm embarked, followed to the seaside, his biographer assures us, by a great multitude of people. The biographer of a saint militant is always anxious to show that the saint had the people on his side; and it is likely that, apart from reverence for the holy men or for the priesthood, the people would be on the side of resistance to a government which to them was one of iron, as well as half alien, while the clergy were in themselves a multitude, and had, as spiritual masters and confessors, the best means of agitation. At the papal court Anselm encountered William of Warelwast, who, having been the envoy of Rufus, now served Henry on a like mission. The arts of the tried diplomatist failed to avert the pope's decree. Mildness was studied in the form of proceeding against so powerful a culprit as the king of England by a pope, who had already the Emperor on his hands; but the custom of investiture was inflexibly condemned, and those who should conform to it were pronounced excommunicate. In vain, when Anselm had departed from Rome, William of Warelwast lingered behind on pretence of paying his vows to St. Nicholas. The pope was not to

be moved; the question was vital to the ascendancy of the papacy and the priesthood.

On the return of his envoy the king seized the estates of the archbishropic into his hands, appointing, however, as Eadmer admits, friendly administrators, and gave notice to Anselm that he was banished from the realm. Anselm, for the second time, found a hospitable home with his friend the Archbishop of Lyons. In vain, hearing from England that in the absence of the chief shepherd wolves had broken into the fold, and that the church was full of disorder and distress, he plied the pope with entreaties to interpose effectively for his restoration. The pope, engaged in a death struggle with the Emperor, shrank from driving the king of England to extremity at the same time. He, however, excommunicated Robert De Mellent and the other advisers of the king. At last Anselm advanced to Normandy, resolved to excommunicate the king himself. Henry, in the midst of a struggle with his brother for the duchy, could ill afford at that moment to be held up to his adherents and his opponents as an excommunicated man, and to have the whole moral force of the church thrown into the scale of his enemy. The old Countess of Blois, Adela, sister of Henry, and a spiritual daughter of Anselm, brought about a meeting at which the king showed himself anxious for peace; and after some further haggling and more references to Rome, a reconciliation was effected. Anselm returned 1107
to England and to his archbishopric amidst the jubilation of the clergy and the people, as well as to the great joy of the pious Queen Matilda, who had earnestly pleaded for his restoration, and preceded him wherever he went, heading the procession which was formed to meet him,

and providing for his triumphant reception. The great question was compromised. On the part of the archbishop it was conceded that bishops and abbots should do homage as tenants of the crown for their fiefs to the king; on the part of the king that they should receive investiture as shepherds of the church with the ring and staff, not from their lay, but from their spiritual superior. The renunciation of the king bound all other lay patrons. It was a fair compromise according to the notions of the age. Those, however, who should know the interest of the clergy best, think that they gained little by the result. Anselm ruled his church in peace, holding his synods and pursuing his reforms till the age of seventy-six. Once more we are made to feel that if ever ecclesiastical privilege was a moral influence, and a curb on immoral power, it was in the person of this man, who, if his biographer has painted him aright, in all his struggles showed a Christian character, ever sought peace, never betrayed self-interest or ambition, never forgot, though he might misunderstand, his duty to his national king.

Anselm, after his restoration, held a reforming synod. It was held by the king's leave, and respect was thus paid to the custom of the realm. But its main object was to enforce the Hildebrandic rule of clerical celibacy, by which the clergy were cut off from home and from the commonwealth, to become the militia of Rome. The result showed that not only the domestic and civil character of the clergy but their morality was sacrificed to papal policy. Few of them were Anselms, and not being allowed wives, a good many of them kept concubines. Incontinence chuckled when the pope's legate, John of

Crema, after holding forth against it, was himself caught in a brothel. The presence of a legate as president of an English synod was itself a symptom of the progress of Rome, though he had not come without the consent of the king.

Still more did Rome gain by the extension of monasticism, which planted her spiritual garrisons in every land. Now came to England the Cistercian order, the 1129
great revival of asceticism and of the angelic life. The Cistercian angel, like other angels before him, presently folded his wings, and, the houses of his brotherhood having been built for eremite purposes on solitary downs and moors, became a sheep-farmer and wool-grower, pre-eminent in his line, and founded the chief commercial industry of the nation. Still the monasteries, though they might cease to be outposts of heaven, remained outposts of Rome. They were also in their way and in those wild times shelter for the gentler natures and for civilization. Their writing-rooms and libraries preserved books and learning, though that which was valuable might bear a small proportion to that which was not. Their chronicles, almost the only annals, kept up the historical consciousness of the nation. Church art and music, even mechanics, owed them gratitude. It was probably for the advancement of civilization in part, as well as for the good of his own soul, that Henry founded monasteries, among them the great Abbey of Reading. Whatever 1121
quickens intellect generally will help to make politics intellectual and to render political struggles less conflicts of force and more of thought.

The monarchy is still the power not only of order but of progress, and to the mass of the people the source of

justice, it may almost be said of liberty, since it comes between them and the local oppressor. Henry, as he had promised, made good peace, continued to hold down his feudatories with a firm hand, forbade their private wars, demolished the castles which they had built without royal license. To the aristocracy of the conquest he preferred men raised by himself who formed a new nobility more attached and faithful to the crown. If he preferred natives of Normandy to natives, whatever their origin, of England, it was probably not in respect of race, but because he found himself better served by the strangers. Churchmen commended themselves to him as ministers by their superior education, by their entire dependence on their master, and by the cheapness of their service, since they could be paid by ecclesiastical preferment at the expense of the church.

Against his aristocratic enemies Henry provided himself with spies, not unneeded if it is true that he had traitors at his board and narrowly escaped an arrow shot by an unknown hand. He was always moving over the country, chiefly, perhaps, to maintain his household by consuming on the spot the fruits of his various demesne lands, yet with the effect of making his personal government felt, which without central machinery or a post it could not otherwise have been. His punishments were sweeping and ruthless, but they fell on the few, while the many enjoyed security and were grateful. His exactions, the people thought, were grievous, but they were regular and not so bad as baronial pillage. To levy fines on priests who kept concubines was not very royal finance; but about the sources of their revenue none of these kings were nice. Henry rendered

commerce and industry a great service by maintaining, as he had promised, the purity of the coin. Coiners he ruthlessly punished. If he did not so well fulfil his promise not to keep bishopries or abbeys vacant, he might plead that the ecclesiastical fief paid no reliefs, afforded no wardships or marriages, could never be forfeited, and was bound in some way to contribute to the necessities of the crown. The comparative blessings of the Lion's rule will be seen by contrast with what follows.

The monarchy assumes a more regular form and develops its machinery of administration. The standing council, or Curia Regis, unfolds its administrative and fiscal organs. This is due to the constructive genius of Roger, Bishop of Salisbury, the justiciar. Roger, it was said, had first commended himself to the king by the speed with which he said mass. Taken into the royal service he became the statesman of the day and organized the Exchequer, at once a ministry of finance and a court of fiscal justice. The name was derived from the chequered covering of the table at which the barons of the Exchequer sat. The Exchequer, as well as the Curia Regis, was composed of barons, and the justiciar presided over both. The judicial power remained in the Curia Regis. A further step in the regular organization of the monarchy was the despatch from time to time of royal commissioners over the realm, both for fiscal purposes and for those of justice, an institution which will ripen hereafter under another great king. Roger of Salisbury founded an administrative house. His nephew Nigel was treasurer, his bastard son Roger was chancellor, and they preserved his official system.

Under a strong and peaceful government, trade spread its sail, the less timidly as both sides of the Channel were in Henry's hands. The germs of industry were fostered, the life of the towns grew.

By the treaty between the brothers Henry and Robert, Normandy had been happily severed from England. Unhappily they were united again. Normandy, under the misrule of the losel Robert, fell into feudal anarchy. Normans who wished for the restoration of order stretched their hands to Henry; especially did the clergy, who needed order most, and with whom Henry, in spite of his quarrel with Anselm and his numerous bastards, had preserved his religious reputation. Moreover, the connection between the Norman nobles in the two countries still subsisting, in Normandy gathered the feudal storms which broke over England. There Bellesme had found a new lair. Henry came and
1106 conquered. At the battle of Tinchebrai, Hastings was avenged in the overthrow of a Norman army by an army which came from England and was partly English. The continental province gained, but the island kingdom must have lost by the division of the king's energies and care. Robert fell into his brother's hands, and the great crusader wore out the rest of his life in confinement. Not even the pope's intercession could open his prison door. That he was living in the utmost comfort his brother unctuously assured the world. The relation of England and Normandy as the conquering and the conquered country was now reversed, and the king of England was mighty among kings.

To bequeath his greatness to his one legitimate son, William, was Henry's care. All know the story of the

White Ship, how she went down at the Caterage with the 1120
heir on board, and how, no one daring to tell the king, a page, throwing himself at Henry's feet, mutely broke the news, after which, as the story was, Henry never smiled again. The web of policy had to be woven once more in favour of the king's one daughter, Matilda, the widow of the Emperor Henry V., remarried, little to her imperial liking, to Fulk, Count of Anjou. No woman had yet reigned; no woman could perform the duties of a Norman king. Legitimacy and the idea of a proprietary right to the crown had been gaining on the principle of election; but they had not yet got so far as this. The Lion might have known that oaths sworn in his dread presence to a female succession would be unsworn when he was gone.

STEPHEN

BORN 1094; SUCCEEDED 1135; DIED 1154

Accordingly, when a surfeit of lampreys had rather in- 1135
gloriously sent the great king to a tomb in the grand abbey of his foundation, the barons under casuistical forms furnished by the bishops broke faith with the dead. Setting Matilda aside, they gave the crown to Stephen, Count of Blois, who put it on with the usual promises of good government and redress of all grievances. He was the favourite of the baronage; he was supported by his brother, Henry, Bishop of Winchester and papal legate, the political head of the English church; London, now growing populous and powerful, acclaimed the choice. Stephen was a gallant knight and a popular man; but as a ruler he was weak. At his accession he had allowed his brother the legate to draw

him into too grateful a recognition of the support of the church, and even of the sinister approval of his election by the pope. To win popularity he lavishly created earldoms, which it had been the policy of the Conqueror to grant no more, and squandered everything else he had to give. At first he showed vigour in dealing with baronial turbulence, but presently the reins which it had tasked the force of the Conqueror and of Henry to hold began to slip from his hands. His nineteen years have been divided into three periods, miserable in different degrees; the first of dissolution; the second of civil war; the third of exhaustion and comparative peace. In the first there are local revolts. Tempted probably by English troubles,
1136 the king of Scots invades England with a motley host of savages, drawn from the different races of his realm, who commit their usual atrocities; but he is met and defeated by the Normans combined with Englishmen led from each parish by their priests under the consecrated standards of local English saints.

Stephen brought on the crash by attacking the church, which in this case at least was not identical with religion. Roger, Bishop of Salisbury, the great statesman of the late reign and founder of the Exchequer, in serving the realm had also provided well for himself and for his own. He and his two nephews, Alexander, Bishop of Lincoln, and Nigel, Bishop of Ely, had amassed great treasures and built castles, the wonder of the age, where they kept a large retinue of soldiers. Having reason, it seems, to suspect that they were intriguing against him with Matilda and in favour of her son, the grandson of their patron, Stephen by a sudden onslaught seized upon two
1138 of them and compelled all three to surrender to him their

castles and their treasures. Castles and garrisons were hardly spiritual, but they were ecclesiastical, and at this outrage on the sacred order the church was in a flame. The papal legate, Henry of Winchester, turned against his brother. The king appears to have been so far forgetful of his dignity as, when arraigned, to appear by deputy before a synod and undergo its sentence. His self-abasement availed him little.

Matilda now landed in England with her bastard half- 1139
brother, Robert of Gloucester, an able leader, at her side. Then followed nine years of what can hardly be dignified with the name of civil or dynastic war. Government ceased to exist; baronial anarchy broke loose. The country was covered with castles built by robber barons, who forced the wretched people to work on them and filled them with Flemish, Breton, and Welsh mercenaries, justly, no doubt, designated by the English chronicler as devils. In these dens, if the chronicler speaks truth, those who had anything of which they could be robbed were imprisoned and tortured. They were hung up by their feet in the smoke of a fire, suspended by their thumbs while a fire was applied to their feet, thrust into dungeons full of snakes and toads, crushed in chests full of sharp stones. Tight cords were twisted round their heads, sharp collars were fastened about their necks so that they could neither sit nor lie. Many were starved to death. One brigand exposed his prisoners, smeared with honey, to the stings of insects. The husbandman fled the fields, the people died of hunger, towns were deserted on the approach of the man-at-arms. Notting- 1140,
ham was burned to the ground and the people carried 1153
off captive. The Monk of Worcester has described to us

1149 the sacking of his town by a party from Gloucester; the alarm at the enemy's approach; the prayers offered to the patron saints; the goods of the citizens hastily carried into the church, which is crowded with chests and sacks, so that there is scarcely room for the priests; the chants of the choir mingled with the cries of infants; the high altar stripped of its ornaments, the crucifix, the image of Mary taken away; the rich garments of the priests hidden lest they should be seized by the spoilers; the arrival of the enemy with horse and foot; the priests in their albs bearing forth in suppliant procession, while the bells toll, the relics of the patron saint; the struggle, the storming, the pillage, and the burning; the people driven off into captivity, coupled together like hounds, on a bitter winter's day; then the infliction of the same horrors on Gloucester in its turn. The need of a king and of the king's peace is shown in a lurid light. Once more we are called upon to do homage to the Norman genius for political organization.

Meantime the two parties carried on a chaotic and indecisive war. At last Stephen was defeated in a battle
1141 at Lincoln and taken prisoner. Matilda entered London in triumph; but her imperial haughtiness turned the scale against her; and the citizens, rising at the sound of their tocsin, expelled her from the city. Their fidelity to the cause of their king, and the spirit which they showed in the expulsion of Matilda, somewhat redeem the scene. Now the balance of war turns again in favour of the royalists; Robert of Gloucester is taken prisoner;
1141 Stephen is set free. Henry of Winchester, the ecclesiastical kingmaker, comes over again to his brother's side. At last exhaustion, coupled with the mediation of the

church in the person of Theobald Archbishop of Canterbury brings peace. The death of Eustace, Stephen's son, 1153
opens the way for a treaty giving the crown to Stephen for his life, and after his death to Henry, the son of Matilda. The principle of election is once more set aside by a dynastic treaty.

It is remarkable that, as we are told, no period was more prolific than the reign of Stephen in monastic and religious foundations. The church alone amidst the chaos seems to have remained something like a power of order. Remorse, perhaps, occasionally followed crime, and by the endowment of religious houses gave back to what was then civilization some portion of the fruits of rapine.

CHAPTER IV

HENRY II

Born 1133; Succeeded 1154; Died 1189

AFTER the anarchy of Stephen the land groaned for a strong rule. But in Henry II., surnamed Plantagenet, and founder of that line, we welcome a power not only of order, but of progress. Nothing marks the change of institutions more clearly than the contrast between him and our kings who reign and do not govern. This child of destiny was but twenty-one. He was strongly built, and, we are told, of royal aspect, although, it seems, of rather a coarse mould, with a reddish complexion, and a large bullet head; grey eyes, bloodshot, which flashed with anger; a fiery countenance, a tremulous voice, a neck a little bent forward, and muscular arms. So a contemporary paints him. His tendency to corpulence was kept down by spare diet and constant exercise. His activity was preternatural and wore out his attendants. It made him ubiquitous, and ubiquity, in an age before centralized government, was a good quality in a king. His hasty meal over, he was at once on foot again. He could not help talking about business even during Mass. Hunting was his rest from serious affairs and war. Next to the chase he loved books, for he had been well

educated, and his memory was strong. His energy and capacity as a ruler are felt at this hour. But out of him, as out of the other men of his time, the savage had not yet been worked. He was liable to fits of rage, in which his eyes became bloodshot and his tongue raved, in which he flung himself on the floor and bit the rushes with which it was strewn; in which he could commit acts of cruelty, such as mutilating a score of hostages. Nor was he free from the cunning of a savage. Among his ancestresses of the line of Anjou there was supposed to have been a fiend.

He had good use for his omnipresent activity. By birth, treaty, or marriage, Henry was lord not only of England, with the subsequent addition of Ireland, but of Normandy, Maine, Anjou, Aquitaine, and presently of Brittany. His realm extended from the Cheviots to the Pyrenees. He was a greater power in France than the king of France himself, though by the strange usage of feudalism he was there the French king's vassal. He was lord in fact of an Angevin empire, the seat of which, if it had one, was Chinon, and its mausoleum Fontevraud. His influence in Europe was almost paramount. But in England only was he the king. Only on England has he left his mark. He would perhaps have left on her too deep a mark had his energetic love of power been brought to bear on her alone.

Henry's first care was to raze the illicit castles and rid 1155
the country of mercenary bands. Many of the castles were probably little more than stockades. Some were strong and sustained sieges which Henry conducted in person. The work on the whole seems to have been done with surprising ease, considering that at this time,

to the advantage of feudal mutiny, the defence was superior to the attack, so that a siege became commonly a blockade. Some wild spirits may have been taken off by the crusades. Having reduced the last strongholds of anarchy, seen the back of the last of the robber bands, and resumed the estates of the crown, which the weakness of Stephen had given away, Henry, now master of his realm, entered on a course of reform and organization. He took his grandfather for his model and outstripped him. For the policy of making a national monarchy supreme over the baronage he had a clearer field than Henry I. After the series of suppressed rebellions under the first three kings and the civil war under Stephen little of the aristocracy of the conquest was left. Little or nothing was now left even of the distinction between the races. They were being rapidly blended by intermarriage. Presentment of Englishry in cases of murder had become a dead letter, or a mere pretext for levying on the district one of the fines which formed no small source of the royal revenue. If Norman-French was still spoken by the ruling class while English was spoken by the people, this was more a matter of rank and fashion than of race. Many must have spoken both languages, while the neutral Latin was the language of the church, law, and the state.

What the razings of baronial castles and the expulsions of baronial mercenaries had begun was carried forward by the military policy of the king. His Assize,
1181 or edict, of Arms, reorganizing the old fyrd, or national militia, and bidding every freeman provide himself with a coat of mail, helmet, shield, and lance, placed at his disposal a force independent of feudal tenure or com-

mand. Availing himself of the unwillingness of the barons, now settled in their English homes, to serve on an expedition to Toulouse, he introduced the payment 1159
of scutage, or shield money, in place of the feudal service, thus lowering the military spirit of the barons at the same time that he gained the means of taking into his pay regular soldiers, Bretons or Flemings, whose only law was that of the camp, and who served without limit of time. The plan of service by delegation, three knights clubbing to send one, which was also introduced by Henry, would tend in the same direction. Only once, however, and at a mortal crisis, did the king bring his mercenaries to England.

The administrative system of Henry I., which had been wrecked by the civil war, was restored and improved. Nigel, Bishop of Ely, nephew of Roger, Bishop of Salisbury, the great minister of Henry I., became treasurer of the exchequer, which office passed from him to his son Richard, Bishop of London, who wrote a famous treatise on the organization and work of the department. Centralization, depression of the feudal aristocracy, and government through the devoted servants of the crown, are leading features of the policy. The justiciars, however, of this reign, regents during the king's long absences, are not churchmen like Flambard or Roger of Salisbury, but laymen, Ranulph De Glanville and Richard De Lucy. A life of faithful service had earned for De Lucy the name of "the loyal" when he went into a monastery of his own founding to give his remaining days to God. Not all the servants of the crown were loyal like De Lucy. In those days, as now in Turkey and in Russia, official corruption was almost a

matter of course; and in passing judgment on the policy of a king we must bear in mind not only the character of the matter with which he had to deal, but that of the instruments with which he had to work.

To carry royal justice through the realm and maintain the king's peace as well as to enforce the proprietary rights and fiscal dues of the crown, Henry I. had occasionally sent out itinerant justices, the barons of his court, like the Missi of Charlemagne, over the realm. His grandson made the institution regular and permanent. When the royal justices went their rounds, the shires were required to present to them the local offenders with the evidence of the crime. Local delegates, twelve in number, presented on their own sworn evidence. This was the first stage. When the jury were ill informed of the facts, further evidence was called in. Those who gave it became in the end the witnesses, the original jury of presentment becoming judges of the fact upon the evidence of the witnesses, while the royal judge laid down the law. Such is the historical origin of trial by jury, the mythical origin of which is depicted in the frescoes of the House of Commons. The steps by which the institution reached its perfect form the legal antiquary must explain. Traces of its original character may be found in the grand jury which still presents prisoners for trial, and perhaps in the coercion which was long applied under arbitrary kings to jurymen who failed to find verdicts for the crown, as if they had still been responsible presenters of the fact.

The political importance of an institution which places personal liberties under the shield of a popular court was hardly less than its judicial importance. In spite of

grave imperfections and notwithstanding tyrannical interference, it long made England an oasis of public justice in a Europe of dark and arbitrary tribunals. Jury trial was necessarily open, and it precluded the use of the rack, which was never legal in England, though privily introduced by usurping power. It also played no unimportant part in the political education of the people. Its germs were in all the rude popular tribunals of primitive times. But it took form under the first Plantagenet. It has now gone the round of the civilized world.

By the circulation of royal justice that of the feudal manor court and of the shire and hundred courts under the local influence of feudal lords was thrown into the shade, while the shire and the hundred were brought into closer and more active union with the crown.

Legislation, in the proper sense of the term, there has hardly yet been. The custom of the realm has been declared by the general council of barons in such a case as that of Anselm. Otherwise there have been only edicts of the king. For redress of grievances the people have looked, not to remedial legislation, but to the charter put forth by the king at his accession. By royal favour, not by legislative enactment, franchises have been granted. But it is difficult to distinguish the constitutions and assizes framed by Henry II. with the advice of the general council from declaratory acts of parliament or statutes. The king apparently listens to the advice of the council and relies on its support. So far there is progress towards a constitution.

The Assize of Clarendon regulating criminal law and 1164
procedure is a landmark in legal history. The ordeal was an appeal to heaven by man's primitive incapacity

for weighing evidence. The day for its abolition was not yet come, though the church, to her credit, condemned it. But by the assize of Clarendon its operation is restricted, and the man who has passed it, if otherwise convict, is compelled to abjure the realm. By another assize in cases of title to estate or advowsons option is given of a rational trial by sworn recognition in place of wager of battle. The judicial combat was retained in cases of honour or chivalry, as they were called, and in cases of treason. An islet on the Thames near Reading formed
1163 the lists in which Henry of Essex, constable and standard-bearer, accused of betraying the standard of the king in the Welsh war, met his accuser, Robert De Montfort, in judicial combat, and, being vanquished, found shelter in the neighbouring abbey, where he assumed the cowl.

The creation of earldoms, territorial commands with a local revenue attached, discountenanced by the prudence of William, renewed on a large scale by the lavishness of Stephen, had once more ceased, and earls had become rare. The chief local offices, financial, administrative, and military, were now the shrievalties, which were probably in the hands of the great local feudatories, with a tendency to hereditary succession. This stronghold of feudalism also the royal reformer invaded. Twenty sheriffs were dismissed at once, ostensibly for malversation. Of malversation as well as of extortion, it is likely enough that in those rude and predatory times they were guilty. But the king's chief motive probably was his desire of transferring the government of the shire from the local feudatory to more trustworthy and controllable hands. The necessity of perfecting the official organiza-

tion would be enhanced by the long absences of Henry from England.

Hitherto custom, tribal or feudal, has reigned. Now the spirit of law is abroad, and the science of jurisprudence is born again. Roman law is once more studied, and by its scientific method takes hold of the higher minds. It gives birth to a profession, and opens to those learned in it a career of wealth and power. It forms the model for those who are building up the canon law of the church, which again is emulated by the civil jurist. A teacher of it had appeared in England under Stephen, but had been silenced by political jealousy or by fear of ecclesiastical encroachment. The feudal lawyers, however, though they would not allow their customs to be ousted by Roman principles, bowed to the scientific method of the Roman law, and helped themselves freely to its philosophic store. In the treatise ascribed to Ranulph De Glanville, a justiciar of Henry II., an attempt is made to give something like Roman regularity to the rude heap of feudal or national customs. The author is the patriarch of the common law.

The epoch is memorable in which, from the will of a king whose power has no limit but revolt, and whose very excellence is dangerous to freedom, a community passes under the reign of law. The study of law, at once practical and philosophic, stimulates intellect, and the profession which is formed, however liable to pedantry and chicane, is on the whole a guardian of right, both public and private, under a free government; while even such a despotism as that of the Tudors or the Bourbons is in some measure limited and tempered by the authority of written law.

The same tendency to substitute national for feudal machinery which appears in government under Henry's reign appears also in finance. A regular land-tax, afterwards called carucage, is imposed in place of the obsolete danegelt. Scutage is in effect a substitution of taxation for service. Henry, however, no doubt like other kings in those days, took all that he could get; imposts, old or new, regular or irregular, including fines and compositions for offences real or factitious, sale of royal favours, of offices in church and state, of heiresses in marriage, of the custody of the estates of royal wards. The people groaned, as they always groaned under taxation, and the louder, the more regular the taxation was. The necessities of government they could not see. There was in those days no budget, no understanding between government and people as to the need of supply, or as to the purposes to which the supply was to be devoted. A very odious source of royal revenue was the Jewry, practising usury under the king's protection and paying to him a large part of its gains, which was now organized as a regular department of finance.

The English, no doubt, had to pay for their king's wars in France. On the other hand, they had the benefit of trade with his French dominions as well as with Germany, whose friendship his diplomacy secured. The whole western coast of France, with the arteries of trade, was in his hands. Putting down the license of private coinage, he gave commerce the sound currency which is her life. Special privileges were granted to the merchants of Cologne. Wealth increased with law and order; towns, with town life and its political influences, grew.

From the repression of lay crime the king turned to

repression of crime among the clergy, and at the same time to the rectification of the boundary line between the ecclesiastical and the civil jurisdiction. William the Conqueror, while he sternly repelled papal encroachment, had so far complied with high church principle as to divide the ecclesiastical jurisdiction from the civil. Ecclesiastical tribunals were usurping suits really civil, such as those relating to property, wherever, as in cases of marriage and legitimacy, the church could pretend to a voice, and to advowsons; while behind them were creeping onwards, to the subversion of royal authority and of national independence, the appellate jurisdiction and the autocracy of the Holy See. There was, in fact, no assignable limit to the pretensions of the church or of the pope as its absolute head. Man cannot be divided into soul and body. He who is master of the soul is master of man, and he who holds the keys of heaven and can cut off from eternal life is master of the soul. The conflict between the ecclesiastical and the lay power in the middle ages was irrepressible and internecine.

The discipline of the church was lax. Secularism, nepotism, simony, pluralism, and sinecurism prevailed, if we may trust the satire of the age, to a scandalous extent. Rich church preferment was given to boys. Bishops were courtiers or fighting barons, and were not ashamed of having bastard children. Under Stephen we have seen bishops closing the gates of their castles against the crown. The salt of monasticism had lost its savour. Concubinage was common among the clergy and could not fail to deprave. The minor orders swarmed with vagabonds who had nothing clerical about them but the tonsure, and among whom murder and robbery were rife.

Yet the tonsure protected from justice. The ecclesiastical courts claimed the criminal, who was still, according to clerical theory, a part of the soul of the world, not to be punished by the profane arm of flesh; while penalties which the ecclesiastical courts under canon law could inflict, or would probably wish to inflict, were inadequate to the suppression of crime. It was reported to the king by his justiciars that in the nine years of his reign more than a hundred murders, together with a number of robberies and other offences, had been committed by clerks whom the lay jurisdiction could not reach. In the last reign an archdeacon had administered poison to his archbishop in the eucharistic cup and as a churchman had escaped justice. Even among the hierarchy not secularism only but violence prevailed. Soon after this the chronic struggle between the archbishops of Canterbury and York about precedence leads to an affray in a church council in which the Archbishop of York is sorely mauled by the monks attendant on his rival.

With a contested case before him, the king moved. But here he came into conflict with the spirit of the age. Hildebrandic principles of church privilege and supremacy had been gaining ground. They were steadily pushed forward by a power unswerving in its aim, raised by its self-created divinity above scruple in the choice of its means, and supported by the corporate spirit of a powerful order working in its interest through all nations. They found support in the False Decretals, making the papacy the supreme and universal court of appeal, and in the development of the canon law. Henry IV. of Germany had been humbled by Hildebrand; Barbarossa was about to be humbled by Pope Alexander III. The

crusades had put the pope at the head of the armies of Christendom. They had filled the world with religious enthusiasm and kindled a wild passion for martyrdom. During the anarchy under Stephen the church in England, keeping her organization, had advanced her power. Under Henry a memorable champion of church privilege arose in the person of Thomas Becket.

We have to gather the history of this canonized champion and martyr of clerical privilege chiefly from panegyrical biographers, who make heaven announce his birth through prophetic dreams; who ascribe to him, living and dead, miracles countless and portentous; and in whose eyes veracity, if it took from the honour of the saint, would have been sin. He was the son of a London citizen of Norman name and race. He was well educated, and at Bologna studied papalizing law. Received into the ecclesiastical and high-church household of Theobald, Archbishop of Canterbury, he, by his brilliant gifts, handsome person, and engaging manners made his way, rose in his master's favour, was employed in important business, bore a part in the negotiations which, by preventing the recognition of Eustace, secured to Henry the succes- 1152
sion of the crown, and in connection with that affair was sent to Rome, where he no doubt imbibed Roman ideas. To qualify himself for preferment he took deacons' orders, and preferment was showered on him. He was invested 1154
with the archdeaconry of Canterbury, the best thing after the bishoprics, with the provostship of Beverley, and with several prebends or benefices besides. From the service of the archbishop he passed to that of the king and was made chancellor or secretary of state, an office which, though then not the highest, brought him close to the

king's person. He became Henry's most trusted counsellor, bosom friend, and boon companion. He is credited with the king's policy, but this remained the same after their rupture and was a bequest from Henry I. As chancellor he handled large sums of money, including the revenues of all vacant sees, abbeys, and benefices in the gift of the crown. His style of living was most sumptuous, his hospitality was profuse, his establishment was
1158 magnificent. As ambassador he entered Paris with a parade resembling and surpassing a modern Lord Mayor's show, and scattered money among the Parisians with both hands. He served the king not only in council but in war, slaying, ravaging, and burning, as his biographers complacently tell us, without mercy. When Henry scrupled to attack the person of his suzerain the French king, Becket scrupled not. All this time he was holding his archdeaconry and his other ecclesiastical preferments, so that of secularism, pluralism, and sinecurism he was a palmary example. His biographers aver, and would in any case have averred, that amidst all his luxury the saint kept his purity unstained. Becket as chancellor seems to have pushed, if he did not devise, a scheme for taxing the clergy, which caused the high churchmen to say that he had plunged a sword into the bowels of his mother. Here apparently was the man who, if placed at the head of the church, would help the king to put limits to ecclesiastical jurisdiction and bring clerical crime under the sword of justice. When, by the death of Theobald, the archbishopric of Canterbury fell vacant, the king announced to Becket his intention of making
1162 him archbishop. Becket said afterwards that he warned the king; he did not undeceive him; and he must have

known that by his previous conduct his master had been misled. He accepted the appointment, however, and was thrust by the lay power on the electors, who might well be scandalized at the promotion of so notorious a worldling to the headship of the English church.

Character does not suddenly change in middle age, but aims sometimes do. Becket would now be the English Hildebrand, the head of a realm within the realm, wielding a power independent of national law and above that of the temporal ruler. He threw up the secular office of chancellor. We are told that he changed his life, practised asceticism, wore a hair shirt till it swarmed with vermin, every day washed the feet of twelve poor men, and was profuse in his almsgiving. He kept up great outward state and pomp; but this was a proof of his humility, as he thus veiled his austerities from the eyes of men. That he set himself to reform the church his biographers assure us; but to two great abuses, pluralism and sinecurism, he was bound to be kind, since he had not only himself been one of the greatest of pluralists and sinecurists before his appointment to the archbishopric, but after his appointment had continued with his archbishopric to hold the rich archdeaconry of Canterbury.

Suits arose about fiefs and advowsons claimed for Becket's see. These he proceeded to treat as matters of ecclesiastical jurisdiction and to decide in his own favour. In the course of one of them he broke a law of the realm 1163
by excommunicating without notice to the king a tenant-in-chief of the crown. Nor was it long before he came into collision with the king himself on a fiscal question. Here he gets the credit of having anticipated Hampden in 1163
patriotic resistance to taxation, though it does not appear

that he was resisting taxation of any but church lands, or on grounds broader than that of church privilege. High words passed, and Becket showed that he felt little reverence for the king. He assumes towards the king henceforth the airs of a spiritual father, which in one who had so lately been Henry's boon companion must have been difficult to bear.

When Henry disclosed his design of curbing the ecclesiastical courts, and bringing clerical crime within the grasp of the law, war between him and the primate broke out. After some preliminary fencing, in the course of which Becket seems to have professed his willingness to submit, saving his order, that is, saving all the pretensions of the clergy and the pope, a pitched battle between the two theories was fought before the council of barons
1164 and prelates at Clarendon. Sixteen constitutions, declaring the relations between church and state as to matters of jurisdiction, were there promulgated on the part of the king. They formed, in effect, a declaratory act of the great council, setting forth the established custom of the realm as found by the council or by those who dictated its finding. Clerks accused of crime were to be arraigned first in the king's court, which might at its discretion send them to an ecclesiastical court. If convicted in the ecclesiastical court and degraded, the clerk was to lose his benefit of clergy, and become amenable to lay justice. No prelate or other ecclesiastic was to leave the realm without the king's license, or without giving security that he would attempt nothing against the king or kingdom, an enactment the object of which was evidently to restrict resort to Rome. Appeals were to be carried from the archdeacon to the bishop, from the bishop to the

archbishop, and in the last resort to the king in the archbishop's court, but never to the pope without the consent of the king. Without the leave of the king sentence of excommunication was not to be pronounced against any tenant-in-chief of the crown. Archbishops and bishops were to hold their estates as fiefs, subject to the feudal obligations. They were to be elected in the king's chapel, with the assent of the king and his council. Cases of church property and advowsons were to be tried in the civil courts. The right of sanctuary was not to protect goods forfeited to the crown. Protection was given to laymen against stretches of power on the part of the ecclesiastical courts. Serfs were not to be ordained without the consent of their lords. All the articles but the last seem to have been agreeable to the manifesto of the Conqueror and the custom of the realm, as well as to reason and the first principles of jurisprudence. William had with his own hand arrested the Bishop of Bayeux for breach of secular fealty. In his reign the suit for church property relating to the see of Canterbury between Archbishop Lanfranc and Odo of Bayeux had been tried by a county court on Pennenden Heath. The restrictions on papal interference were, in effect, those which the Conqueror had imposed. Fancy has pitched on the article forbidding the ordination of serfs without the consent of the lords, and Becket, for resisting that enactment, has been held up as the tribune of an oppressed people and a subject race. There is nothing of this in the biographies or in the voluminous correspondence of Becket and his friends. When the constitutions were laid before the pope he divided them into two sets, the tolerable and the intolerable, and the article respecting

the ordination of serfs was in the tolerable set. That ordination did open a door to the serf is true; let the church have full credit for it. But the constitution was not intended to close that door; it was intended simply to guard the property of the lay lord. The church preached emancipation as a good deed; yet she held serfs herself, though probably in mild bondage, to the last. It seems also that she restrained her own serfs from ordination. The decision of the pope respecting this constitution is fatal to the existence of anything like a definite intention on her part to make her orders the means of elevation for the serf. Nothing that in reality was God's was taken from God by any of the constitutions.

From the policy of the king, thus formally presented, Becket at once recoiled. The question whether it was good for the church of Christ to harbour crime seems not to have presented itself to his mind. The church's privilege was to be upheld. Should the hands which made God be bound, asks a follower of Becket, like those of a mere layman, behind the priestly back? The hands of the minor orders, in which crime chiefly prevailed, did not make God. The bishops, nominees of the crown, good worldly men, besought the primate to give way and avert the wrath of the king. Some Templars, whose order was now at the zenith of its reputation, added their entreaties. Becket at last yielded, swore, and permitted the bishops to swear, to the constitutions; but vowed that he would not seal. Afterwards, for having sworn, he put himself to penance, and suspended himself from the service of the altar till he should be absolved by the pope. In the sequel he advised the bishops that the oath

which they had taken, being sinful, was null and void. It was not easy to make terms with such a power.

The council met again at Northampton, whither Becket 1164
came with a great train. The king's savage temper now broke out, and he put himself in the wrong. He had summoned the archbishop in a contumelious manner through the sheriff, instead of summoning him personally, like other magnates. He now tried to crush him by getting the council to condemn him for contempt of the king's court in a lawsuit. Then he charged him with malversation. Becket had no doubt, as chancellor, spent great sums in splendid living as well as in his gorgeous embassy, but his accounts had been passed; at all events, the charge was barred by time and the subsequent conduct of the king. A stormy scene ensued. Barons and bishops, though on the king's side, shrank from the extremity of condemning their primate, and each order tried to shift the task upon the other. Becket's soul rose up in defiance. After celebrating the mass of the protomartyr Stephen, with its threatening Introit *Etenim Sederunt Principes*, he entered the assembly, uplifting his cross in his own hands as a standard of spiritual war. In the debate, or rather altercation, which ensued, he thundered high-church doctrine in its extreme form, protesting that he owed for none of his possessions service to any earthly lord, and warning the earl who, on a civil charge, was about to pronounce the sentence of the assembly, against condemning his father. At last he left the hall amidst a volley of insults, which, the soldier rising within him, he returned in kind. By the common people, his panegyrists say, he was received with enthusiasm; but they admit that not only the lay members of his house-

hold, his knights and noble pages, but forty clerks who had basked in the summer sunshine of his prosperity, now
1164 left him like swallows at the coming of winter. He withdrew by stealth, not having the king's leave, from the realm, passed over to France, and there, unlike Anselm in all things, presently threw himself into the arms of his sovereign's antagonist, Louis, who welcomed an instrument of mischief, and provided him with a guard of honour. To clear himself of the taint of lay nomination, he afterwards surrendered his archbishopric to the pope, and received it back from the pope's hand, committing therein something like an act of treason. On his departure from the kingdom without the royal permission, which was a breach of allegiance, his estates were sequestrated by the king.

The principles proclaimed by Becket at Northampton amounted to nothing less than the subjection of the state to the church, and the exemption of an immensely wealthy and powerful order, an order whose wealth and power were growing always and without limit, from the law. If the champion of such principles was able by his hold on the superstition of the age and his sacramental thaumaturgy to convulse society, and thus compel the submission of the government, the government could deal with him only in one of two ways, by throwing itself at his feet or by taking him by the throat.

Then followed six years of tangled controversy, Becket appealing to the pope to launch the papal thunderbolt against the king, identifying himself with Christ and his opponents with Satan, storming not only against the king and his other English enemies, but against the weakness, perfidy, and venality of Rome, who, if half of what he

says is true, must have been a strange mother of Christendom; the pope, who was an Italian statesman and, being hard pressed by an anti-pope with the Emperor at his back, feared to make the king of England his enemy, temporizing and vacillating; the king and the bishops who took his part appealing, trying the arts of diplomacy, and not only of diplomacy, but of bribery, to which, it was held by both sides, Rome was open. Fresh fuel is heaped upon the flames when the king, having determined to get his eldest son Henry crowned in his own lifetime, the Archbishop of Canterbury being in exile, has the ceremony performed by the Archbishop of 1170
York. This was taking from the primate a part, perhaps regarded by him as more than honorary, in the election of the king, and Becket's wrath blazed out anew. The king's cause is pleaded by Gilbert Foliot, Bishop of London, whose austere virtue and famed learning add, in the minds of Becket's admirers, piquancy to his inevitable damnation as an opponent of the church's champion and favourite. Becket strives to put heaven on his side by increased asceticism; wears not only a hair shirt but hair drawers, both swarming with vermin, multiplies the flagellations which he had commenced from the time of his conversion to the rate of five a day. So his hagiographers assure us, although the Abbot of Pontigny playfully tells him that one who loved wine as he did could hardly be a martyr. Already, according to his biographers, he performs miracles. A fish leaps into his bosom to provide food for the fast-day; a maggot which drops from his sleeve while he sits beside the queen of France is turned into a pearl. Betaking himself to the shrine of Vézelay, after prayer to St. Drausius, who gave

victory in duels, he mounts the pulpit, and with the awful forms of the Roman ritual launches curses against his enemies, including De Lucy the Loyal, who had really acted towards him as a friend. The king shows himself not wanting in the temper which belonged to the Angevin stock. He banishes Becket's kindred to put pressure by their destitution on the archbishop; he compels the Cistercians by threats of sequestration to expel Becket from their House of Pontigny. The French king, from enmity to his English rival, countenances Becket and Becket's principles, showing the advantage which, in the conflict between church and state, the church had in her unity, while her antagonists were divided and she
1170 could play one of them against another. At last all parties are worn out; Henry yields; Becket is restored to his see and to the possessions which, upon his unlicensed departure from the realm, had been seized into the king's hands. He comes to England, but instead of peace brings with him a renewal of war; launches sentence of excommunication against the Archbishop of York and two other bishops who had offended him; moves about the country stirring up the people. On Christmas Day he mounts the pulpit, and, taking "Peace on earth" as his text, again pours out curses on his enemies, the De Brocs, who as receivers of his estates during sequestration had wasted his property and had since cut off his horse's tail, with others who had offended him, concluding by dashing a candle on the ground in token of their extinction. The king, who is in France, hearing all this,
1170 lets fall a hasty word. Fired by it, four of his knights cross to England; force themselves into the chamber where the archbishop after dinner is conversing with the

monks of his chapter; engage in a fierce altercation with him; return armed as he is going to vespers in the cathedral; renew the altercation, in which he calls one of them a pandar; try to carry him out of the sacred place; and, on his resistance, slay him there. 1170

Of Christ in Becket's character there is little trace, except the courage of martyrdom. Nor was he the champion of any cause but clerical privilege. In that cause he fought stoutly and died bravely. In passing judgment on his case, we have to determine how far privilege, in itself unreasonable and noxious, might in that stage of civilization be useful as a bar against the despotism of kings. That sympathy is due to the papacy or the church as a moral power contending against a power not moral seems a fallacy. Superstition, again it must be said, is no more moral than force. To effect its ends it has, in fact, to become force. The Norman conquest of England countenanced by a pope, the civil wars kindled in Germany by the popes in their struggle for supreme power with the Emperor, the extermination of the Albigenses, the wars of the League, the massacre of St. Bartholomew, the persecution in the Netherlands, the work of the Spanish Inquisition, that of the Jesuits in the Thirty Years' War, the expulsion of the Huguenots — what were these but acts of force commanded by superstition? Were they any the more spiritual or the less criminal because superstition, instead of doing them herself, had to enlist in her service, at the same time depraving, an earthly power?

In his death Becket conquered. An electric shock ran through papal Europe. The king fell on his knees, solemnly abjured the murder, bowed himself beneath the

censure of the church, renounced the constitutions of Clarendon, and afterwards performed at Becket's tomb a penance more degrading than the humiliation of Henry IV. at Canossa, or of Barbarossa at Venice. The martyr of clerical privilege was exalted to the skies. Thanks to the enthusiasm of his order he became the chief saint of the English people. His shrine, as readers of Chaucer know, was through the middle ages the great place of pilgrimage; far more was offered at it than at the altar of God, or even at the shrine of the Virgin. Wealth poured in upon the monks of Canterbury, the showmen of the relics. Even before canonization miracles began to be performed. The collection of them, which includes, besides other portents, the raising not only of men but of pigs, geese, and cows from the dead, are among the most revolting monuments of medieval superstition and the direst proofs of its effects upon the mind. At the Reformation the idol was cast down. In the present century St. Thomas of Canterbury once more became the hero of a party aiming at the revival of priestly power, and the subject of biography hardly less veracious, though more subtle and refined in its unveracity, than the hagiography of medieval monks.

The difference between zeal for ecclesiastical privilege and zeal for religious liberty was seen when a company of heretics from Germany, guilty of no offence but their heresy, which was probably nearer than was the teaching of the church to the faith of the peasants of Galilee, were
1166 in this same reign brought before an ecclesiastical tribunal, delivered by it to the secular arm, scourged, branded, and turned out to die of cold and hunger, no Becket raising his voice in their defence.

The constitutions of Clarendon had been renounced, but Becket's successor, Archbishop Richard, seems to have been a man of sense and to have seen the mischievous absurdity of Becket's principle, which would cut both ways, shielding the murderers of clerks as well as clerical murderers. The murderers of Becket, in fact, got off at last with penance. Richard compromised so far as to agree that clerks convicted of breach of forest laws, hunting being altogether forbidden to clerks by the canons, should be handed over to the secular arm, and for that concession was denounced by his order. Privilege of clergy, however, long continued more or less to shield crime from public justice.

It seems to have been partly to shun the storm of obloquy which clerical fury had raised against him, and to reinstate himself at the same time in the good graces of the papacy, that Henry undertook the conquest of Ireland. We have come to the first attempt at a union of the islands, and to the opening, so fate would have it, of seven centuries of woe. In the long line of popes Nicholas Breakspear, Adrian IV., is the only Englishman. English he was by birth, by adoption Italian. He had some time before this issued in favour of the king 1155
of England a missive granting him the dominion of Ireland, of which the pope claimed a right to dispose, on the ground, it appears, that by the Donation of Constantine, a palpable forgery, islands belonged to the Holy See. The condition of the grant was church reform in the Roman sense. The Irish church, a surviving member of the church of Roman Britain, was barely in the Roman communion and far from being in perfect obedience to Rome. It was not organized on the Roman

model; such organization as it had was monastic and rude in character; it had hardly a diocesan episcopate; it had no parochial system or tithes; it allowed marriages within the prohibited degrees; its services, its baptismal service among others, lacked the perfect beauty of holiness. It was oppressed by the native chiefs, who quartered themselves on it as they did on their lay dependents, and by lawless appropriation thrust themselves into its preferments. A marvellous, almost miraculous, period of missionary enterprise, during which Irish missionaries preached not only to Ireland but to the north of England and to Germany, and of which the romantic memory hallows the islet of Iona, had been succeeded by depression, corruption, and subjection to barbarous power. Irish church reformers had stretched their hands to Canterbury and Rome. The Anglo-Saxon conquest of Ireland, like the Norman conquest of England, partook of the character of a crusade.

The lonely island of the west had escaped Roman conquest. It had escaped Saxon conquest. By the Dane it had been visited, and its monasteries had been ravaged, but he had only founded some little settlements on its coast. Those settlements, however, were about the only germs of commerce or civilization, and they showed their affinity to the civilization of the Anglo-Norman kingdom. The Celts who peopled the rest of the island had remained in the tribal or clan state without any general polity or settled tendency to form one, though the chiefs of powerful septs might for a time gain such an ascendancy over their neighbours as to assume the style of kings. Nor was there any general law saving the Brehon law, the work of priests or bards, fancifully minute and elaborate, but

without regular authority to enforce it. Blind attachment founded on supposed kinship of the clansman to his chief was the only political organization. Tribal war was incessant, and its axe was in every hand. To unification the bogs and the great forests which then clothed the country were opposed. The climate being too wet for grain, agriculture, the mother of civilization, was rare. The people remained pastoral, and had hardly ceased to be nomad. Cities there were none, save the little seaboard cities of the Dane. The Celts had risen but few steps above the savage state, and are painted by a keen contemporary observer as showing the impulsiveness, fickleness, and treachery of the savage. They loved the harp, and displayed an aptitude for decorative art, and, it seems, a thirst for learning when its cup was put to their lips. Traditions, probably exaggerated, of a vast gathering of learned men under the auspices of the church haunt the now lonely and melancholy site of Clonmacnoise. But the church, herself unorganized, could do little to unify or civilize the nation. Without cities she could not be stately or impressive. Tribal barbarism trampled her under its hoofs. Her monuments are not cathedrals, but the Round Towers, which probably served as refuges for the priests and sacred vessels when the country was swept by the plundering tribes.

Tribal quarrels, as usual, opened the country to the invader. Dermot, a chieftain who had been worsted in a deadly feud, craved the aid of the English king. Henry 1169
had other matters on his hands, but he gave Dermot leave to enlist adventurers. Dermot turned to the northern chiefs, who had been pushing the conquest into Wales, but having, it seems, lightly squandered what they had

lightly won, were ready for a new enterprise. At their head was Richard De Clare, Earl of Pembroke and Striguil, surnamed Strongbow. Striguil sent before him to Ireland his associates, Maurice Fitzgerald and Robert Fitzstephen, with small bodies of knights and archers. The first landing of the invaders was in Bannow Bay. As the Spaniard was to the Mexican, so was the Norman with his mailed horsemen and his bowmen to the naked Celt, though the Dane made a better stand. The natives were defeated with great slaughter, and a pile of heads having been made after the victory, Dermot picked out the head of his personal enemy and tore it with his teeth. Striguil presently appeared in person on the scene, and amidst a reign of blood and havoc created himself Earl of Leinster. He was on the point of founding an Anglo-Norman principality in the island.

Fear of that result and of its consequences to his own kingdom probably concurred with other motives in attracting Henry himself to Ireland. His presence brought the Anglo-Normans back to their allegiance, and he received the transient homage of the Celtic chiefs. He reformed the church, superficially at least, after the English, that is the Roman, pattern. He annexed the dominion of Ireland to his crown, while he acknowledged the pope as grantor, and undertook to pay him an annual tribute of Peter's pence. He had been on the point of extending the conquest, and securing it by castles, when he was unluckily called away by the storm which clerical hatred and feudal mutiny had together raised against him. He left behind him at first a viceregal government, on the home-rule principle, the vicegerent being Roderick,
1185 a native chief. Afterwards his favourite son, John, was

sent over as his vicegerent. It apparently was Henry's intention to make John king, but the worthless boy only showed his folly by insulting the natives; the conquest remained incomplete; the island was permanently divided between two hostile races; and the fatal die was cast.

As a rule the church was on the side of the king against the feudatories, but in the storm which now burst, and to meet which Henry left Ireland unsubdued, clerical revenge was mingled with the wrath of the great barons, who could no longer endure the centralizing and levelling policy of the king. The sweeping dismissal of the sheriffs had probably cut the high aristocracy to the heart. The king of Scots joined 1173
the conspiracy and invaded England, hoping to annex Northumberland. The jealousy of the king of France was always at work against his too powerful vassal. It was to conjure the clerical element of the storm that Henry performed his penance at the shrine of the martyr of Canterbury. The struggle on both sides of the water was severe, but the event proved the soundness of the government. Many of the barons remained loyal. The common people both in country and town wherever they appeared in the field were for the king. With the help of these and of the mercenaries, who for the first and only time were brought to England, the king and his ever-loyal De Lucy, who now rendered his greatest and his last service, gave the hydra of rebellious feudalism a decisive and final overthrow. The victory was completed by a politic clemency, surprising in so passionate a nature as that of Henry. No blood was shed, though fines no doubt augmented the treasure which the king accumulated alike by exaction and parsimony as the condition

of his free exercise of power. William, king of Scots, having fallen as a prisoner into Henry's hands, was compelled to do homage for his kingdom, so that for a moment there was a union of the island. Perfect calm ensued, and it seemed that Henry's sun would go down in splendour and in peace.

At the close, however, there came another storm, not in England, but in the possessions over-sea, and as the result of Norman mutiny combined with French jealousy, while on the rising gale rode the ever-restless spirit of Bertrand De Born, a troubadour, whose life was intrigue, satire, and battle, the companion and tempter of Henry's sons. Let admirers of medieval or Norman character mark the repeated occurrence of parricidal and fratricidal war. The son of William the Conqueror makes war upon him; his three sons make war upon each other; Henry of Winchester abets those who are making war upon his brother Stephen; the three sons of Henry II., Henry, Richard, and John, make war upon their father. Henry's sons are prompted to treason by his queen, who might find some excuse in his roving loves. To settle the succession which, it must be inferred, was still insecure, Henry had caused his eldest surviving son and namesake to be crowned in his own lifetime; a perilous measure which, with the infusions of Bertrand De Born and other intriguers, awoke in the silly boy a
1183 desire to be at once a king. His two other sons, Richard and his ill-chosen favourite John, took part, the first openly, the second secretly, in the plot of which the prime mover was the able and unscrupulous Philip
1183 Augustus, now king of France. Young Henry died; he died in an agony of remorse, desiring the clergy who

were with him to drag him from his bed with a rope round his neck and lay him on the ashes. Deathbed repentance was better than none, as it might impress the survivors, but its supposed efficacy was a dangerous part of the spiritual system. Young Henry had conjured his father to come to him. But in those days of chivalry the old king feared treachery, and could only send a ring in token of his forgiveness and affection. Richard and John, with the king of France, carried on the war, and Henry, overpowered, was forced, at a humiliating conference, to place himself at the mercy of the French king, and to 1189
agree to a treaty by which he made over to the undutiful Richard a part of his dominions. The treaty signed, he asked to see a list of the conspirators, and his spirit sank when at the head of the list appeared the name of his favourite John. "Now," he cried, "let things go as they will. I care no more for myself or for the world." Chinon, in its summer beauty, had received the broken-hearted and dying king. Only Geoffrey, his bastard son, was at his side, and performed to him, as he tossed upon his fevered couch, the last offices of love. With the delirium of his disease mingled the agony of defeat. "Shame! shame!" he kept crying, "upon a conquered king!" He did not know what great things he had done.

While the mighty monarch was dying, servants whom 1189
his bounty fed had been plundering the house. They stripped his body and left it on the ground naked till a knight covered it with his cloak. This it was in Henry's days to be a king.

CHAPTER V

RICHARD I

BORN 1157; SUCCEEDED 1189; DIED 1199

THOUGH in France the career of Henry of Anjou had closed in disaster, in England his work stood firm. Triumphant over the mutinous aristocracy, rooted apparently by its benefits, its sternness and the weight of its taxation notwithstanding, in the allegiance of the people, served by a trained staff of able ministers, and with a regular army of mercenaries on which to call at need, while the warlike character of the feudal array had been impaired by scutage and substitution, the monarchy had become almost absolute. The lawyers, who had drunk of the Roman fountain, were imperialist in spirit. A jurist of Henry II.'s reign had cited from the imperial code as applicable to his king the maxim that the will of the prince is law.
1176, 1178 The writer of the Dialogue on the Exchequer, a bishop in the service of the crown, had laid down the doctrine that kings are above human justice and responsible to God alone, almost in the terms in which it was laid down by the ecclesiastical flatterers of Charles I.

1189 Richard I. mounted his father's throne without the slightest opposition, and without putting forth any charter of concessions, though he made the usual promises of good government. He was crowned with a magnificence which bespoke the exaltation of the monarchy as well as his own

pride and love of pomp. Had he been a statesman and stayed at home to govern, the monarchy might have become a despotism, but he was a knight-errant, and his reign in England almost ended with his coronation. Instead of the rule of a strong king, there was a divided and distracted regency, while the confusion caused by the weakness of the government was increased by the disloyal ambition of Richard's brother, John.

England was a member of the religious federation of Latin Christendom. She had to bear her part in the mortal struggle between that federation and Islam. It was a conflict not only between Christ and Mahomet, but between liberty and despotism, between monogamy and polygamy, between progressive effort and the apathy of fatalism, between the influence which has done most to civilize Europe and that which has blighted Mahometan Asia. It was not alone for the Holy Land that war was waged; the tide of Mahometan conquest rolled to the plain of Tours, and was there arrested only after desperate and long doubtful battle by Charles Martel. The holy places might be legendary, pilgrimage to them, crusades for them, might be folly, the choice of Palestine as the field of battle might be a military and political mistake; but it was the Sepulchre that called forth the enthusiasm, that gave Christendom a mark for concentrated effort and an all-inspiring battle cry. The Sepulchre had fallen into the hands of the infidel. Europe, stricken to the heart, rushed to the rescue. Henry, a statesman above all things, had taken the cross with his brother kings; but he had put to his council a leading question, the answer to which was that his first duty was at home. His son was a born crusader, a warrior, and a knight-errant, without a par-

ticle of the statesman. Richard's sole thought was the crusade. To equip himself for the crusade was his only care as king. His methods of raising money threw light on the relation between romantic chivalry and common honesty. He put everything up to sale. He sold the domains, honours, and offices of the crown. He sold bishoprics and abbacies. He sold the hands of heiresses who were royal wards in marriage. He sold the earldom of Northumberland. He sold to the king of Scots not only the castles of Newark and Roxburgh, but the sovereignty over Scotland which had been conceded to his father. He sold licenses for tournaments, which might be licenses for cabal and disorder. He extorted three thousand pounds from his half-brother, Geoffrey, who had been made Archbishop of York. He dismissed almost all the sheriffs, making them pay, no doubt, for their restoration. He wrung a heavy fine, on what pretext is not clear, from his father's old and faithful servant, Ranulph De Glanville, forcing him to pay by imprisonment.

As England shared the crusades she shared the anti-semitic movement, to use the modern name, which was allied to the crusades and swept over Europe at the same time. The Jew had been patiently plying his tribal trade of finance. To own real estate he was not at this time forbidden by law. But finance, not land-owning, was his line. Christianity recognized the Mosaic law, which forbade usury to be taken from a brother; but the Jew could take it from the Christian as a stranger, and thus had a monopoly of the trade. To the medieval church the Jew was an alien, not persecuted like the Christian heretic, though an object of religious aversion. In his penal homelessness he was regarded as a witness to reve-

lation. The canon law shielded him from outrage and his children from forcible conversion. In the medieval state he was the serf of the king, who protected him in his extortion, and went his partner in its fruits. This use of the Jew as a financial sponge had formed, as we have seen, an evil part of the fiscal policy of Henry II. In England, as elsewhere, the Jews grew rich at the expense of the people, as the people thought; though it is maintained on their side that they were useful as capitalists in supplying money for great undertakings and promoting trade. Instead of being, as historical novels represent him, down-trodden, despised, and crouching, the Jew was not less dreaded than he was hated. He lorded it over his debtors, built him a stately dwelling, and loved to display his wealth. Sometimes he even ventured to insult the national religion. If he was confined, or confined himself, to the Jewry, this was less of a hardship when special quarters of cities for particular trades or callings were the rule. If kings took much from him, they left him more, and he was exempt from the heaviest of taxes, being never called on to serve in war. Beholding the Jew's mansion, the Englishman said, as the Russian peasant says now, "That is my blood!" The excellent abbot Samson thinks that he has gained a blessing for his people 1190
in clearing St. Edmundsbury of Jews. Everywhere the Hebrews formed a nation within the nation, bearing themselves as a chosen race, living apart, regarding their neighbours as unclean, celebrating their feast of Purim with a demonstrativeness perhaps offensive to the Gentile. It was not wonderful that in the darkness of the middle ages popular fancy should have invested with imaginary attributes of malignity that which to many was a real

power of evil, and imagined that the financial oppressor sacrificed Christian children, poisoned the wells, and spread the plague.

By the loss of the Sepulchre, and the call to arms for its recovery, Christian fanaticism was raised to frenzy. In the conflict of races and characters the Jew belonged to the East, not to the West. It was suspected, perhaps not without reason, that his heart was with the East, and even that he might be willing to open the postern door. It is likely that he inflamed the feeling against him by practising extortion on those who were selling or mortgaging all they had to fit themselves out for the holy wars. Over Europe hatred of the Jew flamed forth. Outrage and massacre ensued, no doubt, on a hideous scale, though on the prodigious numbers given by mediaeval chroniclers no reliance can in this or in any case be placed. Good Christians, like St. Bernard, strove in vain to allay the storm. In London the Jews provoked the wrath of the populace by intruding upon the coronation feast, which wore a religious character. A frightful riot,
1189 with wrecking of Jews' houses, pillage, and massacre broke out. It spread to other cities of the kingdom. By making for the churches in which the bonds of the Jews were kept, the mob showed that debt as much as fanaticism
1190 was the source of its fury. At York, where Jews had given special umbrage by their wealth and pride, they found refuge in the castle, and defended it with the desperate tenacity with which their race had defended Tyre, Carthage, and Jerusalem. When they could hold out no longer they set fire to their treasures, slew their wives and children, then slew themselves. The government made some examples, proclaimed the Jews under its pro-

tection, and, the Jews being its property, exacted on its own account the debts of those who had been slain. The storm blew over, and the Jews were soon as active in their trade, as wealthy, and as much feared and hated as before.

To settle the government and secure the peace of the kingdom during his absence, Richard divided power between the worthy Hugh De Puiset, Bishop of Durham, 1190
and the not so worthy William of Longchamp, Chancellor and Bishop of Ely. The sinister ambition of his brother John he tried to allay by gorging him with estates, honours, and jurisdictions at great expense to the crown. The arrangement failed. Longchamp, though faithful to his king, was grasping and arrogant, an intriguer crooked in mind as in body, and an alien to boot. He crushed his associate Hugh, then, ruling alone, made himself so obnoxious that he was overthrown by a general revolt. An opening was thus made for the schemes of John, who, though gorged, was not satisfied, and who presently found a confederate in his brother's deadly enemy, Philip Augustus of France. Confusion reigned, and Richard's crown was in jeopardy when he reappeared upon the scene.

Meantime he had sailed away for the Holy Land with 1190
a mighty fleet. This is the first war fleet sent out by England after the conquest, and may be said to open the history of the British navy. Regular navy in those times, or naval administration, there was none. The five ports on the Channel were specially charged, as the price of their privileges and honours, with maritime defence, and were special seats of nautical character and of its tendencies to political freedom. The king owned

ships, as sometimes did a grandee. But the bulk of the fleet was made up by general impressment of ships, which would be somewhat analogous to the general obligation of landsmen to serve in the army. The code of laws for that fleet, extremely strict and cruel, was Richard's contribution to the progress of legislation. England heard from afar, not, we may suppose, without a thrill of interest and some elevation of national spirit, how Richard of the lion heart and ungoverned temper had on his way to the Holy Land quarrelled with the Sicilians, thrashed them, and stormed their city; fallen upon
1191 the tyrant usurper of Cyprus and conquered his island; how he had attacked and captured a huge Turkish ship;
1191 how he had landed at Acre amidst the enthusiasm of the Christian host which was besieging it, and brought new life to the siege, taken the great city of the misbelievers, and butchered thousands of them in cold blood; how he had outshone the other crusading princes by his prowess, while he made them his enemies by his overbearing pride; how, when deserted by them, he had continued to perform marvellous feats of war, covered himself with glory, and won the admiration and friend-
1192 ship of the great Saladin, though, betrayed by his confederates and single-handed, he failed to redeem the Sepulchre. Then came the news that, crossing Europe on his way back, he had been foully entrapped and held
1192 to ransom by the Duke of Austria, out of whose hands he had passed into the hands, equally mean, of the Emperor; and that the customary aid for ransoming the lord from captivity would have to be paid by the country on the largest scale. The papacy, which in its own interest could reduce to submission Barbarossa and Henry II.,

failed to rescue from the hands of a robber duke and emperor the foremost champion of Christendom.

The blackmail demanded by the imperial brigand was a hundred thousand pounds, double the whole revenue of the crown. The means by which it was raised dis- 1193
close the strange medley of the fiscal system in a nation passing from the era of feudal tenures, services, and dues, to that of nationality with national taxation. Each knight's fee pays twenty shillings. The royal domains pay tallage. The land not held by military tenure pays a land-tax under the name of carucage, for the assessment of which a new survey had to be made. Besides this, a tax on personalty, one-fourth of revenue or goods, is imposed for the special occasion on all. From the Cistercians is taken a fourth of their wool, now a staple; from the churches their plate and jewels. The gold on St. Edmund's shrine at Edmundsbury was saved only by the protest of Abbot Samson. When the tax-collector came to the door, the people no doubt groaned; but, on the whole, the ransom for the hero seems to have been freely paid.

Richard, after his release, tarried barely two months 1194
in England. War, not government, was his element. This time his field of battle was Normandy, and his enemy was Philip of France. His second stay was spent, like his first, in raking together money for his war. Again he sold offices and everything else for which he could find a market. To illustrate once more the morality of chivalry, he made another great seal, and compelled holders of grants to have them sealed anew and pay the fees over again. The Emperor still retained a shadow of European supremacy, the vestige of imperial

Rome. To bribe his pride, it seems, Richard had done homage to him. It may have been to assure himself and his people of his being, this submission notwithstanding,
1194 still sovereign, that he repeated, or partly repeated, the ceremony of his coronation. At his departure he left England in the hands of Hubert Walter, Archbishop of Canterbury, an able minister, who seems to have applied the administrative and fiscal policy of Henry II., though his statesmanship was largely engrossed by the collection of money for his master's war. The last, and not least, notable exploit of Richard was the construction of the
1197 Château Gaillard to command the Seine and the approach to Rouen; a work which showed an advance of engineering skill not without its bearing on politics, since it added to the superiority of the defence. The end of Richard of the lion heart resembled that of Charles XII. of Sweden, his counterpart in life-long pugnacity. He met his death before a petty fortress, to the siege of which he had been lured by an idle story of treasure trove.

That the government should have held together during such a reign shows how solid the work of Henry II. had been, and how strong he had made the monarchy. Yet the effect of a practical vacancy of the throne for ten years could not fail to be felt. Actual progress towards constitutional government was in some respects made. In the collection of Richard's ransom it was necessary to make appeals to the people which familiarized them with the idea of self-taxation, while the principle of representation was called into play by the local machinery of assessment. It seems, also, that for the maintenance of order the regency was compelled to

throw itself more upon local support. Towards the end of the reign, St. Hugh, Bishop of Lincoln, successfully resisted a demand upon the estate of his bishopric for troops to serve beyond sea. This, unless we reckon Becket's refusal to pay danegelt on church lands, or Anselm's refusal to meet the demands of Rufus, is the first instance of a constitutional resistance to taxation. Longchamp was deposed from his vicegerency by a convention of barons and London citizens, which may be said to have been the rude prototype of a convention parliament. A step from the system of feudal aids and dues to that of national taxation was taken in the institution of carucage, a regular land-tax of so much on every hundred acres, and when taxation becomes national it forms an object for national vigilance and resistance.

The towns, cradles of the democracy that is to be, are growing; their liberty is advancing; they are gradually detaching themselves from the feudal system. Trade had flourished under the broad empire and the firm rule of Henry II. One by one the towns are ceasing to be groups of huts on the domain of the king or of some lord, tallagable like the rest, and under the jurisdiction, apt to be oppression and plunder, of the sheriff. They are working and buying their way to municipal self-government. The form which their upward effort takes is that of guilds, either of merchants or of craftsmen; the merchant guild being the higher and more aristocratic, the craft guild that of the more democratic artisan; guilds of both kinds being religious and benevolent brotherhoods, as well as associations of trade, narrow and monopolist in their policy, as in those times they could not help being, and perhaps needed to be. Charters

were in course of time purchased by the guilds for a full commune or municipality with its own jurisdiction and collecting its own taxes or aids instead of having them assessed and exacted by the sheriff. In England, as elsewhere, the crown, in its struggle with the great lords, found allies in the boroughs. During the last feudal rebellion some English boroughs had suffered in the royal cause. If Henry II., tenacious of power, was sparing in his grant of municipal charters, Richard sold them as freely as he sold everything else.

London led the van and set the example of progress. That it could put twenty thousand horse and sixty thousand foot into the field, as a contemporary chronicler asserts, is incredible; yet it had become, for those times, a great and opulent city, full of commercial activity, full also of social life, the vigour and unity of which, as well as the martial spirit of the citizens, were kept up by manly exercises and games. It had established a regular municipal government. It had played an important part in the election of Stephen as king, in the rejection of Matilda, and in the deposition of Longchamp. Now it
1191 has its first mayor. Its local government was passing finally out of feudal into commercial hands. It has arrived at the epoch of municipal parties, plutocratic and democratic. The democracy complained that the taxes were unjustly levied by the burgher oligarchy, which was in possession of the government. Their dis-
1196 content found a mouthpiece in William Fitzosbert, or Longbeard, an ex-crusader, a man of great strength and stature, a popular orator, with some knowledge of law. He belonged to a high civic family, but had wasted his means and was thrown upon his wits. It seems that he

first bid for the favour of the court, and in an unscrupulous manner, by accusing his brother, who had refused him money, of treason. He then turned to the people, made himself the champion of the poor, or, as we should now say, of the masses against the classes, pushed his way into the council, and harangued at open-air meetings, denouncing the mayor and aldermen. An outbreak, perhaps the sack of the city, appeared imminent, when the government came to the assistance of the burgher oligarchy, and Longbeard, having slain one of the soldiers sent to arrest him, took refuge in a church, was forced from that sanctuary, and, after a summary trial, 1196
hanged in chains. He was the first English democrat who suffered for his cause. His party styled him a martyr, and miracles were performed at his tomb.

CHAPTER VI

JOHN

Born 1167; Succeeded 1199; Died 1216

HAD the present rule of succession to the crown been then in force, young Arthur, son of John's elder brother Geoffrey, would have been Richard's successor on the throne. But the rule was not yet settled, and the man was still preferred to the boy. John, when he had gone through the form of election and been crowned by the archbishop, was rightful king of England. The king of France and John's other enemies used his nephew's claim against him, but Arthur fell into his uncle's hands, and John practically settled the question of succession, as all the world believed, by the murder of the boy.

We must listen with caution to the ecclesiastical chroniclers in the case of a king who quarrelled with the church. Yet they do not seem to have gone much beyond the mark in saying that John when he died made hell fouler by his coming. Force, fitful energy, even flashes of statesmanship and generalship, he had. So far he was a Plantagenet, but he seems to have been thoroughly wicked. Archbishop Hubert in crowning him, if we are to believe Matthew Paris, a chronicler of liberal tendencies in the next generation, dwelt with extraordinary force on his responsibilities as an elective king, and pledged him to constitutional government. Any such

pledge John gave to the winds. His throne of cruelty, lust, perfidy, and rapine was upheld by mercenary troops, the scourge of a nation. To the father who fatuously loved him his treachery had been a death-blow. As his father's deputy in Ireland he had displayed his folly and insolence. Against his brother Richard, when Richard was fighting for Christendom, he had disloyally conspired. In wedlock as in everything else he had been false. Before his accession to the throne he had married Hadweisa, daughter of the Earl of Gloucester; but when he became king, desiring a grander match, he put her away on the pretext of consanguinity, and married Isa- 1200
bella, daughter of the Count of Angoulême, snatching her from the arms of the Count de la Marche, to whom she was betrothed. The pope, with whom John happened to be on good terms, was silent. So doubtful a guardian was the papacy of the sanctity of marriage when its own policy was not concerned.

Bad as he was, and by reason of his badness, John rendered two great services to England. He lost Normandy; and he gave birth to the Great Charter. The line between the Anglo-Saxon and the Norman had by this time been effaced. In the legislation of Henry II. there is no trace of it, no different ordeals for the two races, no presentment of Englishry. The great conquest families had either died out or wrecked themselves in rebellion. Still Normandy was a focus of feudal mutiny, while its possession made the king of England only a half-English king, and the nobility of England who held lands in both countries only a half-English nobility. Henry I. during the thirty-six years of his reign had spent but five summers in England. Henry II. spent a great part of his

time on the continent, and wasted much, perhaps most, of his activity there. He understood but could not speak English. Richard had passed in Norman war the years left after his release from captivity, and the monument of his reign was the Château Gaillard. The severance was essential to the completion of English nationality. Henceforth the king of England is English, the nobility is English. The political lists are closed, and the tyranny of John challenges a national resistance. Conscious nationality may be said to date from this hour.

In fact, the first opposition which John encountered was from the unwillingness of his barons to follow him in arms to a land in which they had no longer an interest. But the monarchy was strong; John had a standing army of mercenaries; and while he could wring money to pay them from his people or from the Jews, though his cruelty and lust made him deadly enemies, particularly among the noble families on whose honour he trampled, his tyranny at home was secure. It is hard to say what might have happened had not John, like his father, but under a still more adverse star, come into collision with the church, which here did in truth by its counter-tyranny put a salutary limit to the tyranny of a king.

The archbishopric of Canterbury was vacant by the death of Hubert, in whom John lost his best counsellor, though one whom he feared much more than he loved; at least, when Geoffrey Fitzpeter, who had always restrained him, died, he said that the justiciar had gone to join the archbishop in hell. The justiciar, it is observed, had begun to exercise something like the influence of a prime minister, or, rather, like that of the justiciar of Aragon, whose authority was a check upon the power of

the king. Two applicants for the pallium presented themselves at Rome; Reginald, the sub-prior of Canterbury, where the chapter was monastic, clandestinely elected by the younger monks; and John De Grey, Bishop of Norwich, John's favourite minister, afterwards elected by the chapter on the nomination of the king. The pope heard the cause, gave each suitor a shell, and took the appoint- 1206
ment himself. He made the representatives of the chapter who were at Rome elect a friend, and, as he might hope, a creature of his own, Stephen Langton, an Englishman by birth, but a scholar of European fame and a star of the University of Paris. John refused to recognize the appointment, drove the monks of Canterbury from their house, seized their estates, and set the pope at defiance. To soothing words and menacing allusions to Thomas Becket he was alike deaf. When he was threatened with an interdict he swore by God's teeth, his favourite and appropriate oath, that if the interdict were published he would seize all the possessions of the church, outlaw all the clergy, pack them out of his realm, and if emissaries came from Rome would send them back without noses and eyes. He seems to have been a practical free-thinker. There were stories of his sending three times in the course of a sermon to a bishop and a saint who was preaching before him to stop because he wanted his dinner; of his covetously fingering the offertory money; and of his letting the spear-sceptre fall at his inauguration by the archbishop as Duke of Normandy, while he was jesting with his boon companions. He refused to communicate at his coronation, and was reproved by St. Hugh for refusing to communicate at Easter. It could even be believed of him that he thought

of turning Mahometan. But in the conflict which he now challenged the stars in their courses fought against him. Thanks to the general growth of superstition, to the religious ferment of the crusades, to the steadfastness of papal ambition, to the continuity of papal policy, to the efforts of a European priesthood united and enthusiastic in its own cause, to the skilful use of an arsenal of sophistry, forgery, misquoted Scripture, and fallacious metaphor, combined with the favour of the people, who saw in the Vicar of Christ a power above that of their immediate oppressors and did not see the court of Rome, the papacy, even since the time of Henry II., had been advancing with great strides. The successor of Peter asserted his claim to excommunicate kings and to release their subjects from allegiance, to depose them and to set up others in their room; to call kings to account not only for offences against the church, but for offences against moral laws, such as the laws of marriage; himself to receive kingdoms by cession; to grant those to which there was no heir, the succession to which was doubtful, or which had been won from infidels or heretics; to dispose of all islands as Pope Adrian had disposed of Ireland; to interfere in imperial and royal elections, not only in the last, but in the first resort; to put in motion the armies of crusading Christendom; to command kings to march; to excommunicate them for disobedience to the command. Innocent III., the pope by whom most of these advances towards supremacy were made, and against whom John had now pitted himself, was about the most formidable of the line. Unlike popes in general, he had been elected in the vigour of his manhood. He was a man of commanding genius and extraordinary force of character.

With the fanatical zeal of the monk he combined the address of the politician, and never was earthly conqueror more ambitious, more unscrupulous, or more ruthless than this Vicar of Christ. For a moment he almost realized the ideal of Hildebrand by making Europe a theocracy. His resolute policy had set his throne on firm foundations in Italy, where the papacy, being most seen, was least respected. He had the heir to the kingdom of Sicily for 1198
his ward. He interposed as supreme judge in imperial elections; decided in favour of Otho of Brunswick, 1198
against the Hohenstauffen, Philip; brought on the Empire ten years of devastating war; and afterwards excommunicated Otho. For a king's breach of the marriage 1210
vow he laid France under an interdict, and humbled her 1200
astute and powerful monarch in the dust. He treated 1214
in the same way the princes of Castile and Leon. For disloyal dealings with the infidel, he cursed the king of Navarre and his realm. He saw the crown of Aragon 1204
laid on the altar of St. Peter. He forced tribute from Portugal. From Servia to Iceland he made his authority felt. Only by the shrewd traders of Venice was his anger braved when their interests were concerned. Aided by the passionate eloquence of Fulk De Neuilly, he set on 1198
foot a new crusade, and his crusaders having taken Con- 1204
stantinople, he stretched his empire over the seat of the Eastern schism and was pope at once of both the Romes. Arming the ambition of the king of France and of Simon 1208
De Montfort in the cause of Peter, he exterminated amid scenes of blood, atrocity, and havoc, to which history affords few parallels, the gay and prosperous but heretical population of Southern France. Under his pontificate were founded those two mighty engines of the papacy,

1209, 1215 the orders of St. Francis and St. Dominic, the latter the order of the Inquisition, devoted to the enslavement of the mind. Against such a pope, such a king as John had little chance of winning the game. His character and his estrangement from the barons made him a tempting quarry for Innocent's towering ambition.

1208 After futile parleyings the pope launched the interdict. For six years the churches of England were closed; the services ceased; the bells were silent; the images of Christ were veiled; the relics of the saints were withdrawn from sight; no sacraments were administered saving the baptism of infants and the extreme unction of the dying. The dead were buried in unhallowed ground. Marriages were performed only in the church porch; sermons were preached only in the churchyard. The sources, deemed indispensable, of spiritual life were cut off, and to compel the king to surrender to the pope there was a wholesale and promiscuous slaughter of Christian souls. Herein the pope, as a spiritual conqueror, followed the analogy of secular war, in which to bring the princes to terms the subjects are put to the sword. The bishops, having pronounced the interdict, fled the realm, all save the courtier or patriot prelates of Norwich, Winchester, and Durham. Stephen Langton posted himself at Pontigny, the retreat of Becket, to whom he did not fail to be compared. John was as good as his word. He met the interdict by outlawing the clergy, at the same time holding to ransom, no doubt with impious joy, the concubines whom in defiance of the canons many of them kept. He even let the murderer of a clerk go free, though to the reign of violence thus opened he had soon to put a stop. Raging like a hunted boar, he showed his Angevin

energy and fiereeness. He compelled all the tenants of the crown to renew their homage; took hostages of barons whom he suspected; drove others to France or Scotland and seized their castles. He led an army to the border of Scotland and compelled the king of Scotland 1209
to give sureties for keeping the peace. His mercenaries would reck little of the interdict. Nor does it seem to have told as might have been expected on the people at large. It was not universally observed, some monasteries and churches pleading exemptions. But an age superstitious enough to believe in curses looks for visible effects of the curse. The sun continued to shine on England; the seasons held their course; the earth yielded her fruits. From those whom Rome had cursed heaven appeared not to withdraw its blessing. Taxation was lightened by the seizure of church property, and the land apparently was doing well.

The pope now warned the king as his "dear son" that the bow was fully bent. After more vain parleying the arrow flew. The sentence of excommunication went 1212
forth against the king. To publish it formally in England was not easy, all the bishops of the pope's party being in exile. But rumour spread the fearful news. Geoffrey, Archdeacon of Norwich, whispered it to his colleagues in the exchequer, and was requited with a cope of lead over his head and shoulders, in which he was starved to death. John did not yield. He had his mercenaries with breasts curse-proof; he had money to pay them withal from the spoils of the church, including the wool-packs of the Cistercians, from the tallage of his towns, from the coffers of the Jews, one of whom he forced to disgorge by daily pulling out one of his grinder teeth.

His trusty De Grey, his two other royalist bishops, were still at his side; his barons seem not to have shunned him; his captains, soldiers of fortune, were faithful to his gold; the son of the king of Scots was sent to receive knighthood, a half-religious ordinance, at his hand. Nor was he without a publicist on his side. Alexander, surnamed the Mason, did for him in a humble way what Peter De Vineis did for Frederick II., arguing that the pope had no right to meddle with civil rights or estates, God having given Peter power over church government and church estates alone. John bestirred himself with fiend-
1210 ish energy, flew to Ireland, there crushed the dangerous house of Lacy, captured the wife and child of his enemy, William de Braose, and brought them to Windsor, where they were believed to have been starved to death. Ireland he put under his faithful De Grey. Apparently he saw, as Strafford and James II. saw long after him, that in Ireland a force might be raised for the suppression of
1211 English resistance. From Ireland he flew to Wales, the ever restless, and dispersed the cloud of mischief which was gathering on those hills. He forced the Welsh chieftains to give him twenty-eight hostages, whom, finding that the Welsh were again being stirred up against him, he hanged. He now received ominous warnings of treason near his person. From Wales he flew northwards, then he hurried to London, crushed disaffection there, and forced the barons whom he suspected to put their children into his hands. In the north, where the spirit of the barons was most independent, rebellion broke out, but the mercenaries put it down.

It seemed that in the battle between brute force and superstition brute force was not unlikely to win. But

superstition now, as usual, called brute force to its aid. The pope absolved John's subjects from their allegiance, deposed him, and gave his kingdom to his enemy, Philip of France. Philip's rapacity had already served Innocent in the extermination of the Albigenses. It answered with alacrity to this new call. He raised an army for the invasion of England, and by his sword the pope was on the point of slaughtering the bodies of John's subjects, as by the interdict he had slaughtered their souls. John mustered the forces of his kingdom on Barham Down, but he could rely on none save the mercenaries and the auxiliaries whom De Grey had brought from Ireland. He felt that all men were against him and were looking for his fall. The prophecy of a certain Peter Hermit that he would no longer be king on Ascension day had taken hold of the mind of the people and of his own. Pandulph, the pope's legate, a wily Italian, slipped over to scare him with pictures of the French force. At last his heart failed him. He gave way, and as his resistance had been sustained not by principle, but by savage pride, he not only bent but broke. He consented to admit Langton as archbishop. He engaged to restore all exiles, release all prisoners, rescind all outlawries against clergymen, make full restitution of all church property, and reimburse those whom he had despoiled. He did more, and much worse. By a formal instrument placed in the hands of Pandulph, he surrendered his kingdom to the pope, and received it back as a fief of the Holy See, undertaking to pay for it in token of vassalage the annual sum of a thousand marks, of which three hundred were for Ireland. He was then released from excommunication by Stephen Langton, at whose feet and those of the bishops he grovelled in tears.

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But the interdict and the destruction of souls which it entailed were allowed to continue for nearly a year, when John, having satisfied the pope on the question of com-
1213 pensation, the bells rang out again and the services of the church were performed once more. Papal and ecclesiastical pretensions had reached their high-water mark in England. From this time the tide is falling, though the waves may again beat high.

With the pope John's peace was ignominiously made. His peace was not made with his subjects, who, besides the public grievances, arbitrary taxation, abuse of the feudal rights and perquisites of the crown, sale and denial of justice, the violence and licence of the mercenary troops, the employment of foreign brigands in high places, violations of the liberties of London and other towns, and oppressive administration of the forest laws, which John aggravated by preserving feathered game, had private wrongs to avenge; the ruin of their estates, the banishment of their kindred, the pollution of their homes by the king's lust. Even the clergy, complaining that through the partial management of the pope's legate they had been docked of their indemnity, were still malcontent. There ensued a great political movement, in which the strength of the Angevin monarchy, with its army of mercenaries, and the decline of the feudal militia, compelled the nobility to enlist the people. Had the monarchy been weak, privilege would have needed no ally. The soul of the movement was the free-spirited baronage of the north. As its consecrator and guide came forward Stephen Langton, in choosing whom as archbishop the pope had chosen much better than he knew. Stephen, though a churchman, was an Englishman. He had shown

his regard for liberty and right by binding the king at his absolution to keep the good laws of Edward the Confessor. He now began to play a part as unexpected as it was memorable.

Philip of France had spent much money in armaments, and his cupidity had been excited. When, the reconciliation of the king with the pope having taken place, it was notified to him by Innocent that the crusade was at an end, he cursed the deceitfulness of Rome and proposed to his council to sail for England, the pope's prohibition notwithstanding. But he was thwarted in the council by Ferrand, Count of Flanders, who at heart was an ally of England. He then turned from England upon Flanders, 1213
took Ypres, and was laying siege to Ghent when the English fleet, which had been collected to meet the invasion, sailed to the Flemish coast under William Longsword, Earl of Salisbury, the bastard brother of John, and captured the greater part of the French fleet, laden with supplies for the campaign. John's spirit rose, and he once more showed himself not incapable of vigorous action. He passed with an army into France, for a moment recon- 1214
quered Poitou, and by a grand stroke of diplomacy formed a league with the Emperor, the Count of Flanders, and other princes of Germany and the Low Countries, which brought the French monarchy to fight for its life 1214
on the field of Bouvines, and, had the day there gone in favour of the league, might have altered the course of European history. At Bouvines, however, the star of France prevailed, and John returned from abroad weakened by defeat to encounter rebellion at home.

The immediate issue was foreign service. In the last reign this issue had been raised with success by the

saintly Hugh, Bishop of Lincoln, in whom Richard, had he lived, might have encountered a second Becket. The barons had refused to follow the king to France, pleading that they had served their forty days at the rendezvous on Barham Down. The king was proceeding to take summary vengeance on them when his path was crossed by the archbishop, who warned him that it was the right of the accused to be tried by their peers. Meetings were held to concert measures for the defence of liberty and right. At one of these Stephen Langton produced a copy of the charter of Henry I. The barons accepted it with acclamation. Assembling under colour of a pilgrimage
1214 at St. Edmundsbury they were sworn severally at the high altar to withdraw their allegiance to the king if he should refuse to acknowledge their chartered rights. On his return they presented themselves before him in arms, and demanded the laws of Edward the Confessor and the charter of Henry I., thus combining the claims of both races and all interests. John saw his danger. He had lost the support of the legate, whom the pope had recalled, and he had been bereft of the aid of his ablest counsellor by the death of John De Grey. He temporized, sent for more foreign troops, strengthened his castles, and tried, though in vain, to detach the clergy from the common cause by granting them a charter of
1215 free elections to bishoprics and abbacies. He also tried in vain to enforce a general renewal of the oath of fealty with an abjuration of the liberties now demanded. At the same time he took hold of the skirts of the church by enrolling himself among the crusaders. Both parties applied to the pope. It is often said that the papacy, in the middle ages, was the friend of public liberty. It

might balance other tyrannies, but it has always been, in its affinities and sympathies, as well as in its own character, despotic. When did a pope rebuke the misrule of a king, or excommunicate and depose an oppressor who was not an enemy of the papacy? Innocent intended that the power in Christendom should be held under himself by the kings. Having reduced the tyrant to vassalage he now upheld the tyranny. He enjoined the archbishop, at whom he glanced as the promoter of the disturbances, to put them down, annulled all leagues, and forbade them to be formed in future under pain of excommunication. The barons, advancing with a large force to Brackley in Northamptonshire, again presented their demands to the king, who lay at Oxford. The king, having garrisoned his castles, and being assured of the pope's support, told them that they might as well demand his crown, and that he would never grant them liberties which would make him a slave. A slave the Angevin monarch deemed himself if a limit were put to his power. Pandulph, the pope's legate, called on the archbishop to excommunicate the conspirators. But Langton declined, saying that he knew the pope's intentions better, and threatened to excommunicate the foreign soldiery if they were not sent out of the kingdom.

Civil war then broke out. The army of the barons, which styled itself the Army of God and Holy Church, took the field under the command of Fitzwalter. This was no mutiny of the feudatories against the crown as a power of order. The aristocracy, which formed the Army of God and Holy Church, was an aristocracy of after-growth, having its chief seat in the north, English and patriotic, whatever language it might speak. With

it were combined representatives of the great ministerial houses. It rose not against order, but against lawless tyranny. The English people who had been for Rufus, for Henry I., for Henry II., against the feudatories of the conquest, were with the new nobility against the king. London was heartily on the same side. On the king's side at last were only a few satellites of his tyranny and the captains of his mercenary bands. One or two nobles of the better stamp, such as William Marshall, Earl of Pembroke, remained with him, hoping to guide him right, and probably dreading the confusion which would ensue if the monarchy were overthrown. Langton, the paragon of ecclesiastical statesmen, preserved the attitude of a mediator, while he was the soul of the patriot cause. The younger barons, as was natural, were foremost in the fray.

The patriot army appeared before Northampton, which, London being disaffected, was John's chief seat of government and the depository of his treasure. But the foreign garrisons were staunch and the place was too strong to be taken without a siege. Bedford opened its gates, and now an invitation arrived from the patriot party in London. A detachment at once hastened thither. The gates were opened while the citizens were at early Mass and the city was occupied without resistance. The patriots are accused of having held a reign of terror, arrested the partisans of the king, and seized their goods. His capital lost, and rebellion, after the fall of London, boldly rearing its crest on all sides of him, the king was fain to treat.

He was at Windsor. There he met the barons. On a broad meadow beside the Thames, between Windsor and

Staines, famed in political history under the name of Runnymede, two camps were pitched. In one were the king, Pandulph the papal legate, representing the pope as suzerain, John's ministers, the few barons who adhered to him, and his mercenary captains. In the other was the Army of God and Holy Church. Under the mediation of Langton and William Marshall a conference was held. The issue was a charter ostensibly of grace, really of 1215
capitulation, granted by the king and witnessed by the chief men, lay and clerical, of the realm.

This is that Great Charter which, again and again renewed, was invoked by succeeding generations as the palladium of national right. Of it the other great documents in the archives of English liberty, the Renunciation of Tallage, the Petition of Right, the Habeas Corpus, and the Bill of Right, are complements or reassertions. Its name is sacred in all lands to which British institutions have spread, it served as the watchword of patriotism in the American revolution, as well as in the struggles against the tyranny of Plantagenets or Stuarts, and was invoked in 1865, for the protection of the black peasantry in the British dependency of Jamaica. It is only now beginning, in common with all charters and all ancestral or traditional safeguards, to give place to political science as the morning star gives place to day.

The earliest constitution, this Charter has been called. That designation it can hardly claim. It is too unmethodical, too miscellaneous, and its great political articles were dropped in subsequent editions. Some of its articles are personal, such as that requiring the dismissal of John's mercenary captains by name, and the expulsion of their bands. Some are occasional, such as that providing for

the restitution of the king's robberies. Its framers certainly had no object in view beyond the correction of abuses, though in correcting the abuse they affirmed the right.

The American Declaration of Independence, the French Declaration of the Rights of Man, proclaim abstract principles. The Great Charter proclaims no abstract principles. It simply redresses wrongs. But the wrongs are substantially those of bad government in general, and the principles of redress are fundamental.

The piety of the Army of God gives the first place to the church, which is assured of all its rights and liberties, including freedom of election to bishoprics and abbacies; a freedom which, however, it was destined never to enjoy, and which it could not have enjoyed with the pope for its head and in conjunction with the vast endowments and privileges of an establishment, without creating within the realm a power external and most dangerous to the state.

The charter proceeds to deal with the abuses of the feudal system, or, to speak more properly, of the system of tenures; such as the exaction of arbitrary sums by way of reliefs on the demise of the fief, and of unreasonable amounts for the three lawful aids, those of knighting the lord, marrying his eldest daughter, and ransoming him from captivity; the levying of excessive fines for breach of feudal obligation; waste of the estates of wards; the sale of minor heirs, or of heiresses, in marriages of disparagement; the practice of forcing dowagers to marry any man of the lord's choice.

Of more permanent importance are the articles which secure to London and all the other cities and ports, now

lifting their heads above feudalism, the enjoyment of their ancient liberties and customs by land and water; ordain the uniformity of weights and measures, vital to trade; and permit foreign merchants to come into England, dwell in it, travel over it, and depart from it free from royal extortion, while, should war break out between their country and England, they are to be attached without hurt to their persons or goods. The king had no doubt fleeced the foreign merchants; in merely discouraging them he would have had popular jealousy on his side.

London is treated on the footing of the tenants-in-chief and exempted from any scutage or aid not imposed by the national council, besides being assured of all her municipal privileges and liberties. Other cities and boroughs, towns and ports are secured in their ancient customs and liberties, saving which, and the special charters which some of them had obtained, they would be left under the dominion of their lords, and subject to tallage, though, as we have seen, they were in the course of emancipation.

No clauses would be more welcome than those which limit the hateful domain of forest law, disafforest the enclosures of John's reign, and ordain that an inquest shall be held on forest usage by twelve sworn knights in each district. Such a reform would be doubly blest, since it would partly extinguish the source, not only of oppression, but of the lawlessness which oppression provoked, and which, as the Robin Hood ballads, though of later date, show, commended itself as irregular heroism to the heart of the people.

The main political clauses are those which provide for the calling of the national council and forbid scutages or

aids, that is any feudal impost save the regular aids, to be levied without its consent. The national council, besides the heads of the church, archbishops, bishops, and mitred abbots, comprised the orders of the greater and the lesser barons. The greater barons were the principal tenants-in-chief of the crown, holders of large fiefs, who led their own retainers to the field. The lesser barons were the smaller landowners, who were called to military service by the sheriff. The great barons were to be summoned personally to the council by royal writ, as the members of the House of Lords are summoned now. The lesser barons were to be summoned collectively through the sheriff. Forms, which we may now call parliamentary, were to be observed. It is provided that the summons shall be issued forty days beforehand, that it shall specify the time, the place, the subjects of deliberation, and that members absent after due notice shall be bound by the determination of those present; an enactment necessary in a time when the representative system was in its infancy, and when the notion, embodied in the Polish *Liberum Veto*, might still linger, that a freeman could be bound only by his individual consent. This assembly was not a parliament; none sat in it but the tenants-in-chief. Yet it distinctly marks the ground on which parliament was to be built. The clauses relating to the national council were afterwards dropped, probably because the party which framed the Charter had come into power and did not wish to tie its own hands. Yet the principles lived and prevailed.

With the clauses prohibiting arbitrary taxation may be coupled that restraining the royal right of purveyance, which amounted to arbitrary taxation in kind, and enact-

ing that for all things taken by the king's officers for his use due payment shall be made. Under the same head may be placed the clauses forbidding the oppressive exaction of debts due to the Jews, those hated and hapless instruments of royal extortion.

Of all the articles the most famous, and perhaps the most important, are those which secure personal liberty, open trial by peers and unbought justice; "No freeman shall be arrested, imprisoned, dispossessed, outlawed, banished, or hurt in his person or his property, nor will we in person or through our officers lay hands upon him save by the lawful judgment of his peers, or the law of the land." "We will to no one sell, deny, or delay right or justice." The first clause affirms the right of trial by jury. These principles England, though her government was not always true to them in practice, steadfastly cherished, while arbitrary tribunals, arbitrary imprisonments, arbitrary punishments were the general rule in Europe. An almost necessary adjunct of open trial by peers, as has been already said, was the renunciation, so far as law prevailed, of judicial torture. For the assurance of justice there are a number of subsidiary provisions. The court of common pleas for suits between subject and subject is not to follow the king in his progress through the realm, but to be held in a fixed place for the convenience of suitors. Cases of inheritance or presentation to benefices are to be tried within the county, and two justices are to be sent into each county four times a year to hold the trials, with four knights of the county chosen for the purpose. This puts the institution of itinerant justices on the footing of law. Fines are to be proportioned to the offence.

A great advance in judicature is made by forbidding

sheriffs, coroners of the king, or constables of castles, with their private dungeons, to hold pleas of the crown, that is, to try serious crimes, which are thereby made over to the judges of the land. Against arbitrary imprisonment special security is provided by the enactment that the writ of inquest of life or limb should be given without price and never denied, the writ being a precursor of that of Habeas Corpus. Only to freemen these securities are given. As yet the villain was not free, but by fixity of tenure he was entering on the road to freedom.

Personal liberty, again, was enlarged by the clause permitting any one to leave the kingdom and return at will unless in case of war, when he may be restrained for some short space, and for the good of the kingdom. The only exceptions are prisoners, outlaws, and alien enemies. It may be surmised that an ecclesiastical hand was here at work removing a legal barrier against the resort for judgment to Rome.

What the king grants to his tenants-in-chief they are bound to grant to their under-tenants. Nor does the Charter stop at these, or at the burghers and the merchants. It does something even for the villain, including him in the provisions against excessive fines, and providing that his instruments of husbandry shall in all cases be spared. This broad national character of the Charter and the extension of its benefits to all interests, even to those of the lowest class, may fairly be ascribed to the influence of Archbishop Langton, a man of high intelligence and the head of an order both better educated than the barons and more in sympathy with the people, from whose rank many of its members and of its chiefs were drawn.

The clauses providing for restitution to the Welsh, and for restoration of hostages and assurances of liberties and rights to the king of Scots, show that the barons had been fain to seek aid in those sinister quarters where English rebellion was always sure to find support. They might have pleaded that foreign mercenaries formed the army of the tyrant. The clause in favour of the king of Scots might be quoted as implying a connection on his part to the English monarchy which his own attitude towards John seems to suggest.

How was the Charter to be upheld? How was the king, if he disregarded it, to be coerced? In these days it would be done by cutting off the supplies. In those days it could be done only by authorized force. Twenty-five barons were appointed conservators of the Charter, and the king was made to authorize them together with the whole country (*communa totius terræ*), in case of his default and contumacy, to resort to force, take his castles, and make war upon him, saving only his own person and those of his queen and children, till he did right, when they were to return to their allegiance. The pregnant phrase *communa totius terræ* denotes the thoroughly national character of the movement, proclaims the conscious unity of the nation, and shows that race had finally given way to country, and that the barons, once foreign conquerors and oppressors, could now act as leaders of the whole people. The great Charter was published through the whole realm and all freemen were sworn to its observance.

When the conference broke up, John, half deposed by the establishment of the conservators, was left almost alone. Outwardly he was fair-spoken and compliant,

though he cunningly delayed the restitution of castles and estates; inwardly he cursed his day and brooded over plans of counter-revolution and revenge. His intentions pierced through the disguise of his professions, and the barons thought it wise to transfer a tournament which, with the light spirit characteristic, even in serious action, of a nation's youth, they had proclaimed in honour of their success, from Stamford to the neighbourhood of the capital, and to throw a strong garrison under William D'Albini into Rochester Castle, which commanded the approach to London on the south. Their suspicions were well founded. John, as the chronicler says, had resolved to smite his enemies at once with the spiritual and with the temporal sword. He had sent to Rome for papal support, to France and Flanders for mercenary bands.

The spiritual sword was drawn at once by the pope, who condemned the Charter as an ungrateful outrage alike upon the king and upon the sovereign rights of the
1215 Holy See, annulled it, and forbade its observance under penalty of excommunication. Soon, to wield the temporal sword, bodies of mercenaries arrived from France and the Low Countries under Savary De Mauleon, Walter Buck, and other soldiers of fortune. Another horde, who were coming under Hugh De Boves, a leader noted for ferocity, with their wives and children, to take possession of the land, were wrecked, and their bodies were cast, to the joy of the people, on the coast. The king, now at the head of the army, laid siege to Rochester. The barons, who lay in London, made but a faint attempt to relieve the place, not so much, probably, because, as the chroniclers fancy, they were bewitched by the pleasures of the capital, as because they dared not with their insurrectionary levies

face better trained troops under experienced leaders in the field. Even in that age, when all freemen were more or less soldiers, raw levies could not stand against discipline and professional skill. After a gallant defence William D'Albini and his garrison surrendered; and John 1216
would have hanged them all, but for the intercession of Savary De Mauleon, whose trade was war, and who might not wish that his trade should be made too dangerous. The king now divided his forces into two bodies. One, under Salisbury, watched London, and swept the rich eastern counties; the other, under the king himself, marched through the midland and northern counties into Scotland, the king of which, Alexander II., had taken part with the barons, and had received the three northern counties as the price of his aid. Wherever the mercenary bands appeared, through part of England and the Lowlands of Scotland, havoc was let loose; castles, towns, and hamlets were given to the flames; the people, without distinction of profession, age, or sex, were hunted down and tortured for their ransom; the devastation and horrors of the anarchy in the reign of Stephen were renewed. The barons held London, the strength of which set the freebooters at defiance; but they could make no stand against the desolating torrent of invasion which swept the open field. The pope meanwhile was holding 1215
a great council, at which he appeared in the glory of his universal dominion over East and West, and the chief object of which was to set forward a crusade, for which he reckoned on the resources of his rich English fief. He had already excommunicated the rebels generally; he now excommunicated by name the leading barons, the citizens of London, and Master Gervase Hobrigge, a

prominent ecclesiastic, the leader, it seems, of the patriot party among the citizens. The city was laid under an interdict; but the interdict was disregarded and the services were performed by the city clergy as before, proof that the spiritual sword wielded for the objects of a temporal policy was beginning to lose its edge in commercial London as it did in commercial Venice. Stephen Langton, finding himself powerless to avert civil war, had left the kingdom. John would have detained him. But Pandulph solved the difficulty by suspending him for his refusal to excommunicate the patriots. He presented himself, nevertheless, at Rome among the other prelates of Christendom; but Innocent sat in judgment with the cardinals upon the old friend and fellow-student who had so grievously disappointed his hopes, confirmed the sen-
1215 tence of suspension, and detained the suspended archbishop at Rome. He also set aside the election of Simon Langton, the brother of Stephen, who had been elected to the archbishopric of York, and forced the chapter to elect in his room Walter De Grey, Bishop of Worcester, the nephew of the late Bishop of Norwich, who, having before paid the king a heavy sum to be made chancellor, now paid the pope a heavier to be made archbishop.

The barons in despair turned their eyes to France, as at a later day British patriots, despairing of resistance to the Stuart tyrant and his troops, turned their eyes to Holland. Philip Augustus had not failed to mark the opening presented to his ambition by the course of affairs in England. His movements from the first had given ground for uneasiness to John, at whose prayer the pope had solemnly warned Philip against abetting the rebel cause. Philip, taught by bitter experience, cowered

before the papal wrath. But when the barons offered the crown of England to his son Louis, who was married to Blanche of Castile, a granddaughter of Henry II., he permitted the prince to grasp the prize. With a large army Louis landed at Sandwich, entered London amidst the jubilations of the rescued city, and, being led in procession to St. Paul's, received homage and took the covenants usually taken by kings on their accession. Simon Langton, brother of the archbishop, was made chancellor, and preached on the occasion. In his manifesto Louis denounced John as incapable of reigning, because he had been attainted of felony for the murder of Arthur in the court of his French peers, an argument which could apply only to the French fiefs. He set up the hereditary claim of his wife Blanche, who, even supposing John and John's son to be set aside, was far removed from the next place in the succession. His claim really rested, like that of Dutch William at a later day, on his election by the nation in place of a deposed tyrant. Innocent, in arguing the case, allowed it to appear that in his eyes anointed kings were above the law of murder and might by virtue of their office take life, as John had taken the life of Arthur, without a trial. The tide ran rapidly in favour of the French prince. County after county came over to him. The king of Scots and the princes of Wales acknowledged him. John was deserted even by some of his foreign soldiers and by his bastard brother and stout partisan, Salisbury.

John had still some strong castles in his hands and some soldiers of mark, among others the redoubtable Fawkes de Breauté, a Norman adventurer, on his side. He was still energetically protected by his suzerain the pope, who, in

the person of his legate Gualo, was with the king, and launched against Louis and all his partisans excommunications which the legate published on the spot. But at
1216 this time Innocent suddenly died, and his death seemed to give the last blow to the royalist cause. The barons, under the Earl of Nevers, besieged Windsor. Louis sat down before Dover, where, though he had with him his father's famous engine called "Malvoisin," he was kept out of range by the stout-hearted and staunchly royalist governor Hubert De Burgh, and was at last compelled to turn the siege into a blockade. John meanwhile moved about ravaging the estates of his enemies. An attempt was made to surprise him at Cambridge by a forced march, but he escaped. He was, however, pushed northward. Soon afterwards he lost his waggon and sumpter train with his treasure and regalia in the Wash. The
1216 same night, of chagrin, of surfeit, or of poison, he died in the castle of Newark. His mercenaries, who seem to have remained faithful to their dead master, escorted his corpse across the country to the church of Worcester, where, according to his own last wish, it was buried. Fontevraud, the burial-place of his house, belonged to his house no more.

CHAPTER VII

HENRY III

BORN 1207; SUCCEEDED 1216; DIED 1272

WE are coming to the birth of parliament. Its natal hour is the zenith of the catholic middle age. In spite of ecclesiastical corruption and disorder, religious faith is still strong. Its symbols, cathedrals and churches, rise, full of the poetry of religion, and not less transcendent as works of art than Greek sculpture, the Homeric poems, or the drama of Shakespeare. They rise above cities of houses little better than hovels, as the aspirations of the saints soar above the things of earth. Men are still leaving all they have, the castle hall, the lady's bower, the joys of the chase, to die on Syrian battlefields for the Holy Sepulchre. Of genuine chivalry, which had in it a religious element, this is the hour. If on the papal throne sits grasping ambition, if the Roman Curia is venal, if in the palaces of bishops are often found worldliness, sycophancy, and corruption, if the regular clergy often live in concubinage and are gross, the fire of religious enthusiasm glows afresh in the houses of the new mendicant orders, Dominican and Franciscan; the first destined to a dreadful fame as the agent of persecution, but eloquent in preaching; the second presenting to the adoration of the people the union of asceticism with evangelical ecstasy in Francis

of Assisi. Over the fiercest religion has power. Longsword, Earl of Salisbury, than whom no soldier was fiercer, is comforted in peril at sea by the appearance of a bright light and a beautiful woman, the Blessed Virgin, above the mast. On the day which made him a belted knight he had given a taper to the Mother of God. On his death-bed he sends for the bishop, and when the bishop enters bearing the body of the Lord, the dying man fastens a cord round his own neck in token that he is a felon before God, casts himself on the floor with tears and sobs, and refuses to be raised till the sacrament has restored him to divine allegiance. His body is carried to the grave in a storm, but as the tapers burn on, all are sure that the terrible earl is numbered with the sons of light. The patriots of the Great Charter called themselves the army of God and of Holy Church and gave their movement the character of a crusade. Public character felt the elevating influence of piety. The counterparts of William Marshall and his compeers, or of the patriots who are now coming on the scene, we shall hardly see till we come to Sir John Eliot and the Puritan leaders of the Long Parliament.

Commerce and maritime life have been awakening. The crusades have stimulated them by opening intercourse with the east. There is a brisk export trade in Cistercian wool. London, Bristol, the Cinque Ports, are active and thriving. The Hanseatic League is formed,
1250, and plants its factory in London, though the factory is
1261 almost a fortress in the midst of a population jealous of the strangers and their gains. Commercial intercourse with the free cities of Italy and Germany brings the trader into contact with political freedom. The Cinque

Ports, specially charged with the defence of the country by sea, display their force and spirit in the political field.

The awakening of municipal life has likewise gone on. From being clusters of dwellings, forming, like the cottage or hamlet, part of the domain of the king or local lord, and taxable at his will, the cities and towns are growing into little commonwealths. Of this the chief instrument continues to be the mercantile guild, with its ties of mutual benevolence, its monopolies, apprenticeships, common festivals, patron saint and religious services, of which the London companies, with their wealth and their guild halls, are the sumptuous survivals. One after another towns have been compounding for their payments and slipping their necks out of the yoke of their lord, whether king, baron, or abbot. London is still at their head. Her liberties were an article in the Great Charter. Her Mayor, Serlo, the mercer, had been one of its conservators. Her wealth and her military force make her a great power, and of course a democratic power, in the state.

This is the age of universities. At Oxford is gathered, under a guild of teachers, a swarm of youths thirsting for the knowledge which they fancy is power, quick-witted, inflammable, turbulent, drawn most of them from the poorer classes, some probably from that of serfs, democratic, therefore, and full of social and political, as well as intellectual, unrest. Scholastic philosophy sharpens their wits and gives them a habit of speculation and of dealing with first principles which is not in the political or social sphere, as it is in philosophy, shackled by the dogmatic creed of the church. In the political poems, which emanate probably from this quarter, we find the

principles of constitutional monarchy laid down with surprising clearness; "Let the community of the realm be consulted, and let us know the mind of the nation at large, which best understands its own laws." "What restraint does the law lay on kings? Restraint from sullying themselves by departure from the law of right. This limitation is not servitude; it is the enhancement of true majesty." Such words might have been uttered by Eliot or Pym. The Franciscans, however, who had set out by renouncing, like their angelic and child-like founder, the wisdom as well as the pomp of the world, presently began to see that knowledge as well as riches might be lawfully acquired and used for the advancement of religion. They entered the universities, occupied the chairs of the teachers, aspired to the control of the system, and by their papal principles impaired academical freedom. To counteract their influence, Walter De Merton founded his secular college, the first of the line.

The chronicler of the age, Matthew Paris, is a reformer and a liberal. The thrilling vindication of the elective system which he puts into the mouth of the archbishop who crowned John is probably the expression of his own sentiments; "Hearken, all present here! Know that no man has any right to succeed to the kingdom unless he be chosen of the whole realm, after invocation of the Holy Spirit's grace, and unless he be manifestly thereunto called by the pre-eminence of his character and conversation, after the pattern of Saul, the first anointed king whom God set over His people, although he was not of royal race, as after him He set David; the first being chosen for energy and fitness for the royal dignity, the second for humility and holiness; that so he

who surpassed other men in the realm in vigour should also be preferred before them in authority and power. But, indeed, if there be one of the dead king's race who excelleth, that one should be the more promptly and willingly chosen." Bracton, the law writer, at the end of this reign, lays it down that the king must be subject to God and the law; for the law makes him king. He puts above the king, not only God and the law by which he is made king, but his court of earls and barons, who are his associates and ought to bridle him if he is without the bridle of the law. These medieval philosophers seem to have grasped the principle that the aim should be not mere liberty, but the submission of all to law. The passage of Bracton is cited by Milton in his Defence of the People of England for the deposition of Charles I. Thus the two great groups of English Liberals stretch out their hands across the ages to each other.

With the tyrant died hatred of the tyranny. Henry, John's heir, was only nine years old. But the Earl of 1216
Pembroke set the boy upon his father's throne, had him crowned with a plain circlet of gold, in lieu of the royal crown, which was not within reach, and, to show that all was changed, republished the Great Charter in his name. The great political clauses regulating the calling of the common council, and requiring its assent to taxation, were provisionally omitted for reasons unassigned, perhaps because they seemed to trench too much on the royal authority, which was now in better hands; but the spirit of the clauses lived. The forest clauses were improved 1217
and thrown into a separate Charter of Forests, coupled with the Great Charter itself, and hardly less prized by the people. The heart of the nation turned from

the French pretender to the native heir. Louis, moreover, was suspected of having formed sinister designs. His English partisans fell away. His star waned; he was beaten in a battle which the victors in mockery
1217 called the Fair of Lincoln. A French fleet bringing him reinforcements under the corsair Eustace the Monk was
1217 defeated and destroyed by a Cinque Ports fleet, far inferior in number, under Hubert De Burgh, warden of Dover Castle, whose bold and masterly tactics marked him as a precursor of Blake and Nelson. Louis retired from England, Pembroke's statesmanship making a golden
1217 bridge for his retreat. The treaty of Lambeth secured to the patriot barons that for which they had fought, and included a general amnesty. The good sense and moderation of its framers put to shame the implacable and blood-thirsty violence which in times more civilized has disgraced the combatants in civil war.

There was a long minority. During the first part of
1216 it Pembroke was regent. His election by the barons was the first instance of the creation of a regency by the national council. At the regent's side was Gualo, the legate of the pope, whose ward, by John's surrender, the young king was. Of Innocent III. and his domination the world was rid. Gualo did well. Stephen Langton also, restored to his archbishopric, upheld to the end of his life the cause of order, freedom, and the Charter. Power afterwards passed into the hands of Hubert De Burgh, the victor of Dover, a stalwart and patriotic man. The regency had to contend with an evil element in the royalist party, the relic of John's council of iniquity, notably with the captain of his mercenaries, Fawkes De Breauté, who set himself above

the law and commenced a reign of violence. Stephen 1224
Langton helping with bell, book, and candle, the brigand was crushed and driven from the realm. The siege of his fortress with battering engines, sapping machines, and movable towers, seems to show that the military engineer had brought back lessons from the crusades, that the attack was now gaining upon the defence, and the strongholds of feudalism were losing their strength. De Burgh appears to have been an honest minister, and faithful to the crown; but he was not one of the nobility, and partly perhaps on that account, incurred jealousy and became unpopular; hatred of him taking the usual form of charges of embezzlement, which, when the accounts of government were not public, could always be circulated and believed. He had an unscrupulous rival in Peter Des Roches, Bishop of Winchester and chief minister, a soldier turned churchman for preferment, and, as satire said, quick at accounts, slow at the Gospel, and fonder of lucre than of Luke. While the minority lasted, the council carried on the government, thus acquiring stability and importance approaching those of the privy council, which in later times was, under the king, the government of the realm. It has been remarked that the political conflict of this reign assumes largely the character of an effort to put better counsellors about the king, thus in some measure anticipating the cabinet system.

The character of Henry III. as he grew up proved not unlike that of Edward the Confessor, whom he adored and had been disposed to imitate in false chastity, though happily he thought better of it and left a memorable son. He was well disposed, amiable, and

affectionate. His domestic life was pure and a good example to his people. Physically he showed on the battlefield that he was not wanting in courage. Morally he was weak. His heart, it was said, was as easily moulded as wax, and those who set themselves to mould it were too likely to be evil. From weakness more than from perfidy he was faithless. He was very superstitious, devoted to the papacy, addicted to relics, and never so much himself as when he was rapturously carrying in procession the vial of the Holy Blood. The best part of him was his taste for church art, which he showed in rebuilding Westminster Abbey. While he was feeble, he was fond of his prerogative, and provoked the patriotic effort which developed the constitution.

Henry's first sin was in giving his waxen heart to be moulded by the wily Poitevin, Peter Des Roches, and not only discarding but ungratefully persecuting Hubert De Burgh, on whom, when he was dragged from sanctuary by the king's soldiery, a patriot blacksmith is said to have refused to fasten fetters. Des Roches, besides his character, was an alien and had Poitevin, not English, notions of government. He brought other aliens with him to the pillage of England. Afterwards came two fresh flights, the kindred of Henry's queen Eleanor of Provence, and the children of his mother Isabel, nicknamed from her mischief-making Jezebel, by her second husband the Count of La Marche. To these aliens England was a mine. On them were showered favours, honours, wealth, from a treasury running low. To them were given in marriage rich wards of the crown. To them were consigned royal castles. Their inroad was almost a second French invasion. Besides the influence of kin-

ship, to which Henry seems to have been fatuously open, their manners would be more courtly than those of the islanders, their notions of royalty would be higher, and they would be bound, with all their fortresses and estates, to the royal interest. They behaved as if they were in a conquered country. William De Valence, castellan of Hertford, killed the deer in the Bishop of Ely's park, then broke into the episcopal cellar, made his grooms drunk with the wine, and let the rest run out. Boniface of Savoy, the queen's uncle, a more than worldly youth, was thrust into the archbishopric of Can- 1241
terbury. For thirteen years he mingled in the wars and intrigues of the continent, at the same time drawing the revenues of his neglected see. Intruding himself as Visitor into the convent of St. Bartholomew, and finding his authority questioned, though he had been received with profound reverence, he fell on the grey-haired prior and beat him brutally with his fists, while his train, following his example, beat the monks. Complaining to the king, the victims were dismissed with a scoff. Queen Eleanor made herself so unpopular with the Londoners by her bearing and her exactions, that in the end they pelted her as she passed along the river.

A justiciar as regent was no longer so much needed, the king being regularly resident in England. But instead of appointing other great officers of state, who as national functionaries would have been restraints upon his personal rule, Henry, full of high monarchical notions, chose, all unfit for government as he was, to carry on the administration by himself. If he took advice, it was that of a clerical adventurer like John Mansel, who accumulated a mass of church preferment in that

evil service. To get the responsible offices of state duly filled by men in whom the nation had confidence was consequently one of the objects of reformers during this reign.

On his favourites and on his taste for church art and for pageantry Henry's revenues were lavished. Further outlay he incurred by wars in Gascony, unhappily retained when Normandy and Anjou were lost, which were misconducted and brought him shame. The domain of the crown had by this time been reduced by improvident grants, so that it was impossible for the king to live, as the phrase of reformers in after times ran, "of his own." Disgraced and despised, if not detested, Henry was always coming for money to the parliament, by which momentous name the assembly of prelates and barons was already called. Failing to obtain regular aids, he practised irregular extortion, especially on London, upon whose charter of liberties he trampled with his tallages, and whose citizens he forced to shut up their shops and bring their goods in stormy weather to a fair at Westminster, that he, as lord of the fair-ground, might reap the dues. Deeply, too, he dipped with his royal hand into the coffers of the Jews, which were then replenished by extortion from the people. By constant recourse to the council of the realm for supplies, the king could not help impressing upon it the character of holder of the national purse, and thus suggesting the exaction of redress of grievances by denial of supplies.

By natural bent the king was papal, and he was always in need of the pope's dispensing power to release him from his oaths. The papacy, on the other hand, wanted

money for its war of supremacy with the Emperor, who was the embodiment of the lay power. That struggle was still raging, and nothing less than the supremacy was at stake; compromise or adjustment was out of the question. Popes were bellowing their loudest in bad Latin; emperors were responding in the same strain. The successor of St. Peter saluted the heir of the Cæsars as the great dragon and the anti-Christ. The heir of the Cæsars saluted the successor of St. Peter as the beast of blasphemy and the king of plagues. The Peter of the Vatican warred, as usual, with the sword which the Peter of the Gospel had been commanded to put up, by instigating rebellion and kindling war. With the connivance of the king, the pope wrung, under various pretexts, vast sums from the English clergy, whom he treated as his vassals and his tributaries, importing the idea of feudal sovereignty, then dominant, into ecclesiastical headship, while they, having no Great Charter, were without protection against their tyrant's demands. He further, under cover of providing fit persons for succession to benefices, grasped for his Italians a large share of the patronage of the English church. Three hundred benefices at one swoop he demanded for his creatures, who were to draw the revenues in Italy. Appeals and citations to the Roman Curia, notoriously corrupt and venal, were multiplied. Pillaged at once by pope, king, and alien favourites, England groaned aloud. The extortions of the pope would be felt the more because to the English people the Italian papacy was thoroughly a foreign power. Dearths, due to local failure of harvests, there being no good means of distribution, occurring ever and anon in what some

have regarded as the golden age of labour, added to the discontent.

Against the ecclesiastical abuses uprose in the early part of the reign Edmund, Archbishop of Canterbury, a saint of the type of Anselm, but far weaker, who, after a vain struggle, sinking into despair, went to end his days abroad; uprose with far more force Grosseteste, Bishop of Lincoln and chancellor of the university of Oxford, the intellectual light and master spirit of his age, orthodox, papal, a friend of the friars, but a resolute enemy and a bold denouncer, even in the pope's teeth, of ecclesiastical abuse, with Walter De Cantelupe, the staunchly patriot Bishop of Worcester, at his side; uprose in a fitful and feeble way the national clergy, patriotic for the most part as well as opposed to papal spoliation of their order, but lacking courage to beard the pope, especially when he had the king on his side; uprose the baronage, which addressed to the pope a strong, but ineffectual protest; uprose a rougher champion, Sir Robert Twenge, a patron of a living, who, having been robbed of his presentation, founded a secret society which did popular justice on the Italians and the agencies of rapine. Oxford students, too, showed their temper to the papal legate, Otho, when he visited their city. His brother, who, to guard him from poison, acted as his cook, having thrown scalding broth on one of their number while they were crowding round the leg-
1237 ate's quarters, they assaulted the legate's train with bows and arrows, drove him from the city, and underwent excommunication for the riot. Doctrinal revolt as yet there was none, but the revolt against papal extortion was the faint dawn of the Reformation. Papal

usurpation, however, was still at its zenith, and its two new bodies of militia, the Dominicans and the Franciscans, well served the power which had given them birth.

Against the political and fiscal abuses the barons protested in the council of the realm. Taking advantage of the king's need, they forced him again and again to renew the Great Charter. This he did with the most awful forms which the church could devise to bind his faith, knowing that whatever was bound, however tightly, the pope could loose. Henry III. had not like his father a body of mercenaries to make him independent of political support. He could not afford to pay for it, if he desired. He had to manage his parliament, by which name the national council may henceforth be called, and the parliament becomes more at once of a tax-granting and a representative body, delegates of the knights being summoned on occasion. A leader only was wanting to the opposition. The Earl of Chester stood forth, but he soon 1232
died. Richard Marshall, son of the great regent, took 1232
arms with the sinister aid of the marauding Welsh, but in the end he was driven or decoyed to Ireland and was there done to death. Richard, Earl of Cornwall, the 1234
king's brother, was much wiser than the king, as well as powerful from his immense wealth, and he was on the side of reform. But for strong measures he stood too near the throne, and his wealth having elected him King of the Romans, his thoughts were turned to a foreign field.

At last came both the hour and the man. The hour came when the silly king, having swallowed the pope's bait and accepted for his younger son Edmund the kingdom of Sicily, of which the pope called himself suzerain,

in pursuit of his chimera got desperately into the pope's debt, pawned his kingdom and applied to his barons for money. The man came in Simon De Montfort, a foreigner, who had inherited the English earldom of Leicester, and to whom, probably to bring that earldom with the other great places into the royal family, the king had given his sister Eleanor in marriage. Simon De Montfort was an adventurer, the son of that most hateful of all adventurers who led, under Innocent III., the crusade of extermination against the Albigenses. Whether he was himself more adventurer or patriot, who, through the mist of ages, can discern? He was the friend of Grosseteste and of the good and learned Adam De Marisco. He was highly religious and had the clergy, the lower clergy at least, on his side. He had great in-
1248 fluence over the young. He had been sent as governor to Gascony; had apparently acted well; but had been embroiled, as it was easy to be, with the Gascons, and afterwards with the king, who suspected his ambition and avowed that he feared him more than thunder. He now
1257 stood forth as leader of the opposition in conjunction with the Earl of Gloucester, an English magnate over whom he had gained influence.

1258 To a parliament at Oxford, called by the royalists the Mad Parliament, the barons came armed, with their retainers. They preferred a long list of grievances; bestowal on foreigners of the hands of English heiresses and of the custody of castles, abuse of feudal service, abuse of escheats, abuse of purveyance, vexatious fines for non-attendance at the courts of the itinerant justices or the sheriff's court, illegal castle-building, use of the Jews for the purposes of extortion. They forced the king to swear

to an agreement called the Provisions of Oxford, by which 1258
in effect power was taken from him for the time and vested in a baronial board of reform authorized to appoint the officers of state and the sheriffs, hold the royal castles, rid the realm of the foreigners, and put an end to abuses both in church and state. Three parliaments were to be held every year. The king, restraint of whom was the object, was to be assisted, that is, controlled, by a standing council of fifteen. The Provisions were proclaimed in English as well as in French and Latin; a proof that the barons appealed to the people at large. Ostensibly the board was composed in equal parts of royalists and patriots; practically the balance at once inclined to the patriot side. But, as in all juntos, jealousies and dissensions soon set in. De Montfort's towering ascendancy gave umbrage to the Earl of Gloucester, and probably not to him alone. Oligarchical reform moved slowly. So thought the knights or bachelors, the class of land-owning gentry below the barons, now growing in strength, and trained in local administration, who came forward with a protest. There is room to surmise that Gloucester was for baronial, De Montfort for popular, reform. The king began to intrigue and seized the Tower. He got from Pope Alexander a dispensation from his oath, once more showing how far Rome was the friend of liberty. The king's son Edward, who now comes upon the scene, and who had also sworn to the Provisions, refused to break his own oath, and tried to keep his father in the path of honour, true thus early to the motto of his life, engraven on his tomb, *Pactum Serva*. There was an outbreak of civil war. Then there was an appeal to the king 1264
of France, St. Louis. St. Louis was a saint of righteous-

ness as well as of religion, but he was a king and a Frenchman. His award annulled the Provisions of Oxford and restored to Henry all his regal powers, including the nomination of the officers of state, without exclusion of foreigners, and all his castles. Only the charters were saved. It was not likely that this award would be accepted. De Montfort and his party seem to have treated it as self-contradictory and, therefore, null, the Provisions having been in accordance with the charters. London and the Cinque Ports appear never to have consented to the arbitration. Civil war followed. With the king were most of the magnates, both lay and ecclesiastical, though the young De Clare, the new Earl of Gloucester, felt De Montfort's influence on youth; while two bishops, Thomas and Walter De Cantelupe, remained true to the patriot cause. With De Montfort were the lesser barons, the knights or gentry, London, the Cinque Ports, always high-hearted and boisterous, and the cities generally, the body of the clergy, the universities, and the mass of the people. It is thought not unlikely that the Walter De Weshyngton in his camp was an ancestor of Washington.

There were some minor actions and sieges, the most notable incident in which was the appearance of a body of Oxford students under their banner against the king at Northampton. Then the war gathered to a head at
1264 Lewes. The castle and priory at Lewes were occupied by the royal army under the king, his son Edward, and his brother Richard, King of the Romans, now on his side. Upon them moved De Montfort from London, the citizens of which were in force under his banner. A last bid for peace, made through the bishops of Worcester and London, failed, and both sides appealed to the sword. The

battle was a medieval prototype of the battles between Cavalier and Puritan at an after day. By the royalists the night before was spent in revelry and debauchery, which even profaned the altar. De Montfort, by assumption of the cross, prayer, and confession, gave his soldiers the character of crusaders. On the point of going into action they all fell on the ground in prayer, stretching out their arms in the form of a cross. Young Edward, hot as Rupert, charged headlong on the Londoners, whom he longed to punish for insulting and pelting his mother, broke them, and pursued them with great slaughter far over the downs. He returned from the pursuit, like Rupert, to find that in his absence the day had been lost. De Montfort, an experienced commander, like Cromwell, with his men well in hand, had beaten the main body of the royal army and put it to flight, many a royalist being swallowed up with his charger in the morass. The king, after fighting hard, was shut up in the priory. His brother, Earl Richard, had fled and had been captured, amid the jeers of his enemies, in a wind-mill. Edward, after a vain reconnaissance, found that there was nothing for it but surrender. A capitulation, called the Mise of Lewes, followed; the Provisions of Oxford were confirmed, and Henry was compelled to accept a constitution binding him to govern by the advice of a council of nine native Englishmen, which would have made him a puppet king.

Under the auspices of De Montfort a parliament was 1265
called, to which were summoned, besides barons and prelates, four knights from each shire. That assembly put the government into the hands of nine councillors by whom the king was to be guided, and who were to ap-

point the great officers of state. This was a veiled kingship of De Montfort. The royalist party was still alive and active, and the queen had got an army on foot in France, to meet which England was summoned to assemble in warlike array on Barham Down, while the papacy continued to launch its thunderbolts in aid of the king.

De Montfort threw himself on the nation. He had the bulk of it with him; while the body of the clergy, ground between pope and king, was for ecclesiastical independence and reform. He called a parliament to which, besides the few magnates of his party, some bishops, and a great body of the minor dignitaries of the church, were summoned two knights from each county and two burghers from each borough. Representation was not by any means a new thing. It was the natural and necessary expedient when the sense of any district or large body of people was to be taken, and had been used by preceding kings for the purpose both of assessment and of information. It entered into the constitution of the county court, to which the boroughs sent deputies. There was an example of it in the councils of the church. But representation of the people in parliament was new. De Montfort's parliament, however, if it was full, was not free, being confined to his partisans. Nor was it called for legislation, but to meet a constitutional crisis. The measure was revolutionary, and was not repeated for many years. Its importance was not felt at the time as it is felt now. Nevertheless, the child had been born; and though the father of the institution lived not to cherish it, a foster-father in the disguise of an enemy was at hand.

Such a state of things as a monarchy in abeyance with

an unavowed dictatorship could not last. The nation wanted a real king. De Montfort's elevation was sure to breed jealousies and discord. His sons grew insolent and affronted his one supporter among the high nobility, the Earl of Gloucester. The pope was always active on the side of his royal liegeman. Edward escaped from the captivity in which as a hostage he had been held, and gave the royalists a leader. He gave them a popular leader by pledging himself to the Earl of Gloucester to carry out the reforms. Civil war again broke out, and now Edward 1265
was a general. From the tower of Evesham Abbey, De Montfort, looking towards Kenilworth, whence he expected to see his son's force marching to his aid, saw instead the army of Edward, who had surprised the young De Montfort's army in its camp, marching to overwhelm him. He could not help paying a soldier's meed of praise to the order in which the foe came on. But he knew that all was over. "May the Lord," he said, "have mercy on our souls, for our bodies are in the enemy's power." He fell fighting like a lion, with one of his sons and his friends, who, though he had conjured them to save themselves, had refused to leave his side. His corpse was mutilated by the rage of the victors. But the people reverenced him as a saint, miracles were performed by his relics, and to him rose the hymn,

Salve, Simon Montis Fortis,
Totius flos militiæ!
Pœnas duras passus mortis,
Protector gentis Angliæ!

Restored royalty was at first bent on wreaking its vengeance by sweeping confiscations. This drove the disinherited to take up arms, and De Clare once more passed

to the side of opposition. But in the end, temperate counsels prevailed and brought about a settlement. No blood was shed on the scaffold. Nor, though heavy fines were imposed, were any estates ultimately confiscated except those of De Montfort and his sons. The king
1267 ratified, formally at least, in the parliament of Marlborough, the chief reforms which had been sought by the patriot barons. Calm presently returned. The last of the storm was the murder of Henry, son of Richard, Earl of Cornwall, by the two surviving sons of De Montfort in
1271 the church at Viterbo. All was so quiet that Edward felt at liberty to shake off the dust of civil strife and to gratify
1270 at once his martial spirit and his piety by taking part in the last crusade. Old Henry ended his days in peace.
1272 He would have been a good priest; he was a bad king. That he was a king instead of being a priest was not his fault. Edward, now thirty-three, was proclaimed, though
1272 absent, without opposition. The days of doubtful succession and of an interruption of the king's peace were at an end.

CHAPTER VIII

EDWARD I

Born 1239; Succeeded 1272; Died 1307

DE MONTFORT'S parliament was partisan, revolutionary, and transient. To make parliamentary government national, constitutional, and permanent there was needed a king liberal enough to desire partnership with his people, too strong to lose his authority thereby, magnanimous enough to embrace and perpetuate the offspring of revolution. He comes. Edward I. is the greatest ruler of the middle age. Louis IX. of France was more saint and crusader than ruler; Alphonso the Wise was more sage than ruler; Frederick II. was not so much a king of the middle age as a Voltairean autocrat born before his time, nor did his work endure.

The reign of Edward I. is an epoch in the history not of England only but of the world. He reigns now through the institutions to which he gave life over almost all European nations, in America, in Australia, in Japan. He will continue to reign, even if his special institutions should pass away, as the statesman who achieved a union of authority with national opinion.

The favourite saint of Henry III. was Edward the Confessor. After him he named his son. Happily for the land which his son was to govern, the resemblance ended with the name. The name, however, commended the new

king to the English people. In their minds it was identified with long-lost liberties and the good times of old. They fondly traced the new king's pedigree through Margaret, the queen of Malcolm Canmore, to the old Saxon line. Nor were they wrong in thinking that they had in Edward a thoroughly English king. If he spoke French it was not as a Norman; nor was it Norman French that he spoke; it was the French of Paris, the court language of those days as it was afterwards of the days of Louis XIV. He spoke English as well, and could speak it to the heart of his people. If he was a power in Europe, it was not because he unhappily held fiefs in southern France, but because he was a mighty king of England. If Europe respected him as an arbitrator, it was because his name as an English king stood high.

Edward's outward form has been well preserved to us. He was tall, strong, and deep-chested, with long legs to clip the saddle and lithe arms to wield the sword. The manly beauty of his face was marred only by a drooping eyelid. His hair was flaxen; it turned white, but did not fall, nor did his sight fail or his teeth decay. He had a slight impediment in his speech. To his character catholicism may point as its highest type of the secular kind. He was devout, loved the services of the church, practised religious retirement in holy seasons, gave freely to religious foundations. He was a good son to his weak father and to his unpopular mother; to his mother too good, for it was by his eagerness to avenge an insult offered to her that he threw away victory at Lewes. His domestic life was perfectly pure, as that of his father had been, and at his side was a wife whom he tenderly loved, from whom he was never willingly parted, who, while she

lived, perhaps softened what was stern in him and tempered what was fiery. She had gone with him to the crusade, and the story of her sucking the poison from his wound, though a fiction, might well have been true. The strong sense of good faith and honour expressed in his motto, *Pactum Serva*, was perhaps derived rather from feudal fealty than from the teachings of a church of casuistry and dispensations.

In youth Edward's temper had been violent, and strange stories had been told of its outbreaks by the De Montfort party. In manhood he was sometimes too fiery, yet placable. "Show him mercy?" he cried, when his pardon was sought for an offender; "I would show mercy to a dog if he sought my grace." Having been insulted across a stream, he spurs his horse into the water, regardless of its depth or the high bank, and forgives the man on the other side. He strikes an attendant in a rage, then fines himself for having done it. He puts a man who has highly offended him in prison, and sends an order that he shall be kindly and courteously treated, but without being allowed to know that the order for his being so treated comes from the king. Coming upon a band of outlaws, he singles out their gallant leader, engages him in combat, vanquishes him, and pardons him for the sake of his valour. There is nothing of the Grand Monarch about Edward I. His habits are simple; his dress is plain; after his coronation he never wears his crown. His magnificence is shown only on occasions of state. In war he exposes himself as a common soldier, and when, after a narrow escape from a missile, he is implored to be cautious, replies, "We have undertaken a just war in the name of the Lord, and we will not fear what man

can do unto us." On the night before battle he lies, like his soldiers, on the bare ground, with his horse tethered at his side. His horse kicks him and hurts him; yet he commands and wins the battle next day. When he is cut off with his train on the Welsh hills, and they bring him the last keg of wine, having reserved it for his use, he bids them hand it round to all who share his peril. The manners of his court appear to be frank and free. His ladies exact of him the playful forfeit on Easter Monday by hoisting him in his chair.

1272 At the time of his accession Edward was absent on his crusade. But he was at once acknowledged as king. The hereditary principle had taken firm root. Henceforth there is no accession charter, but only an improved coronation oath. There was no interruption of the king's peace. Two centuries later it will be held that the king never dies. Edward and St. Louis were the last of the crusaders and the best; they went, not to win kingdoms for themselves in Palestine, but to save the Holy Land. Throughout his life of toil Edward looks forward, not to rest, but to another crusade, in which his sword, instead of being drawn against Christians, should be once more drawn against the enemies of Christ. His heart was in the holy war. He will make no treaties with the infidels. If others do, he will stay with Fowin, his groom, and fight it out. He came home bearing in his body the effects of the assassin's poisoned dagger, which, however, his strong constitution threw off. The assassin, an emissary of a fanatical sect, he had slain on the spot; but he rebuked his attendants when they struck the corpse. On his way home he showed his prowess by unhorsing the redoubtable Count of Chalons, who had played him false in a tournament.

From a baronage heading resistance to royal misrule and encroachment the interest of political history passes to a king who is a minister of progress. Mere checks give birth to nothing. The king is still the regular motive power; he alone can take in the situation and understand the need. To credit Edward with a political theory would be too much; the days of political philosophy were not yet; no one had yet thought of framing a constitution. But Edward had statesmanlike instincts and a policy. His policy was on the same lines as that of Henry II., but broader and more patriotic. For feudalism he aimed at substituting nationality; for a polity of feudal tenures, a polity of national estates; for feudal over-lordship, national monarchy; for a feudal council of tenants-in-chief, a council of national estates represented in parliament. The nation so represented he meant to take into his councils. That "what concerned all ought to be approved of all, the law of righteousness so requiring, and that common dangers must be met by measures concerted in common," was his solemn declaration and the rule of his dealings with his subjects. At the same time, he meant to keep supreme power in his own hands, as the circumstances of a time in which there was little of enlightenment or of general aptitude for politics required. He had also in his mind the unification of the island, and he moved in that direction when occasion served. The real founder of parliamentary government he was; and, had he lived, or not been thwarted by the malice of fortune, he would in all probability have been the founder of British union. Having to deal as he had with mutinous nobles, anti-national ecclesiastics, and a people ignorant of the necessities of state, we cannot

wonder if he sometimes halted in his course of liberalism or even drew back, gave way to his heat of temper, and angrily grasping his sceptre did for a moment that which has exposed him, the founder of constitutional government, to the charge of clinging to arbitrary power.

From a conflict with revolution most kings have come out reactionists. Edward came out a reorganizer enlightened by experience. It seems, indeed, that something like the instrument used by De Montfort for the purpose of bringing national opinion to bear in his own favour had been at once adopted by his antagonist for the purpose of quenching the embers of civil war. Soon after his accession, at all events, Edward moved in this direction, seeking always to carry his people with him, and acting on his principle that in matters of common concernment there should be common counsels. He called inchoate and tentative parliaments; provincial parliaments; parliaments of particular interests, the commercial interest, for example; parliaments for particular objects, in one case for the purpose of giving publicity and solemnity to the trial of a state criminal. But in
1295 1295 he called, for the general business of the kingdom, a true and essentially perfect parliament, the archetype of all parliaments to come, consisting of the three estates of the realm; the lords, temporal and spiritual, the bishops and mitred abbots being lords in right of their fiefs; the commons, represented by two knights elected by each county and two burghers elected by each borough; and the body of the clergy, represented by their elected proctors. This, afterwards confirmed, disciplined, and developed by centuries of interaction among its component forces, especially between the House of Commons and

the crown, is the institution which has extended itself over the civilized world; for even where, as in the United States and in France, the hereditary principle has been discarded, the essence of parliamentary government has been preserved. The three estates, lords, commons, and spiritualty, are the three great contributory bodies or interests of the realm. It seemed at one time as if there might also be an estate of merchants taxable in its own way. Taxation was the chief original function of parliament as well as its key to power. For advice in government the council of magnates continues to exist, but with declining authority, since the holders of the purse could enforce attention to their advice.

Parliamentary government in England was not a solitary birth. National assemblies under the different names of Parliament, States General, Cortes, Diet, were elsewhere taking form. Nationality had become conscious; political life was awakening; great interests, notably that of commerce, were assuming a definite form; kings were learning to lean on the support of their people in their conflict with the nobility. Of all the seeds thus sown at the same time, why did one alone take root, spring up, and become a mighty tree, overshadowing the nations? Something was due to national character and to the circumstances under which national character is formed; not a little was due to the foster father by whom in its infancy the institution was tended. But the chief reason probably was the coalition in the Commons' House of the representatives of the knights and rural free-holders with those of the boroughs. The knights were the body of landed gentlemen, who, in the civil troubles of the last reign, had come forward to protest against the tardiness

and narrowness of oligarchical reform. Their class comprised the lesser barons of the Great Charter, who were summoned to council in a body through the sheriff, while the greater barons were summoned personally by the king's writ, though in all likelihood they rarely took advantage of the summons. The coalition was natural, because the knights of the shire and the burgesses in parliament were alike representatives, while the lords appeared in their own persons. Nor, in the happy absence of caste, could there fail to be many ties between the town and the neighbouring gentry, whose younger sons would find in the town employment and sometimes wives. Combination with the landed and military gentry, whose representatives were girt with the sword of knighthood, a form long kept up in the election of knights of the shire, gave to the representatives of the boroughs a leadership, a strength, and a confidence, which they would otherwise have lacked. In Spain, the free cities, unsupported in the Cortes by such an alliance, after a period of precocious liberty, sank under the despotism of Charles V. and Philip II. In France, where all the gentry were *noblesse* and formed an estate separate from the burghers or *Tiers État*, the States General succumbed to the absolute monarchy, and rose again in the form of the National Assembly only when the classes had been fused by the fire of revolution.

Knights of the shire were elected in the county court by the whole body of freeholders, the sheriff presiding and acting as returning officer. The burgesses were elected by their fellow burghers. In the counties freedom of election was, no doubt, modified as soon as the elections became important, by the influence of the sheriff,

who was appointed by the crown, and of the local magnates; in the boroughs it would be modified by the distribution of power among the burghers, which greatly varied, municipal government being in a state of growth and transition. Everywhere the process would be rough and rudimentary. Edward did not omit to enjoin freedom of election.

Thirty-seven counties and a hundred and sixty-six boroughs were represented in the parliament of 1295. In the boroughs were included all those of royal domain, and the principal among the rest; the number of boroughs being far greater in the better ordered and more commercial south than in the wilder north, exposed to the inroads of the Scotch. But the selection of the boroughs was now and long afterwards in the hands of the crown, which afterwards used the power for the purpose of packing the House of Commons. Hence partly came the arbitrary and anomalous distribution of borough representation which called for the Reform Bill of 1832.

The present constitution of the House of Lords, as well as the creation of the House of Commons, is traceable to this reign, and was no doubt connected with Edward's general policy of merging feudal distinctions in the nation. Tenancy-in-chief, as a title to a seat, was superseded by the king's writ, the hereditary right of the peer to which was at the same time established. Thus the House of Lords became what it now remains, a House of Peers summoned to the council of the nation by hereditary right, and owing their original creation to the crown. It is an aristocracy of hereditary duty and privilege rather than of birth. For mere birth, indeed, there seems in the times of the first Edward to have been com-

paratively little regard. One of the king's daughters married a commoner. All the children of peers have remained commoners, subject to the common law, though distinguished socially by titles of courtesy. The privilege of trial by their own order which the lords have enjoyed is but the general ordinance of the Great Charter that every man should be tried by his peers. Through this institution of the writ issued to the hereditary head of the house alone, England escaped a *noblesse*, the curse of France, Germany, and Spain. The only approach to a *noblesse* was the exclusive use of coats of arms and of crests by a military rather than a noble class, with the heraldry and the College of Heralds by which that distinction was preserved. The king, it appears, chose the barons who were to receive writs as he chose the boroughs which were to send members, so that he was the creator of the House of Lords.

In the plan of Edward's national assembly the clerical estate was included with the other two, sending its proctors to represent it as the counties sent their knights, the towns their burgesses. But it shook itself free; the clergy preferred to be an estate apart, with an allegiance divided between the king and the pope, taxing themselves separately if they were to be taxed at all. Thus was born the clerical Convocation, with its two houses, one of bishops, the other of the lower clergy, which, when the order lost the privilege of taxing itself and became subject to the taxing power of parliament, sank into insignificance; the result being a political ostracism of the clergy, who as members of a separate estate were excluded from the House of Commons. Ecclesiastical interests, however, were well represented by the bishops

and mitred abbots who had seats in the House of Lords, not as heads of the church, but as great feudatories and counsellors of the realm, balancing the lay element in number. Churchmen, also, thanks to their superior education, their superior aptitude for the business of peace, and their greater devotion to the crown, continued to be preferred to the high offices of state. Thus the church had her full share of power and was kept at the same time in political union with the realm. The arch-diocese of York having asserted its independence of the arch-diocese of Canterbury, each had its own convocation, and the severance crippled the action of the church.

Outside the national polity still were the peasantry or serfs, as in the sequel will be seen. Nor is it likely that the common craftsmen of the towns would be allowed by the burgher oligarchy much influence in elections. Of these unrepresented classes, it should be remembered, the king was still the only protector.

The local assemblies, those of the shire and the borough, in which the members of the House of Commons were elected, form the basis of the system. They retained their local powers, legislative and administrative, upon an improved footing. Thus with the advantages of centralization were combined those of a political life diffused through the whole frame. Parliament at first combined the representation of localities with that of great interests or estates. As its power grew it assumed more of the character of a common council of the whole nation.

Government and the direction of legislation remained where it was needful they should be, in the king. Edward, in the partnership between him and the nation,

meant to be the predominant partner. Of parliament in its infancy the rights and functions were undefined. The commons met to grant supplies, to give advice to the king, to inform him about the state and wants of their districts. In legislation they participated at first only by way of petition. Their power of granting or withholding supplies in time gave their petitions force. By degrees it brought them general control, and at last the supreme power. When taxation was connected with representation and with liberty of giving advice or demanding redress, the foundation of the constitution had been laid. Of the judicial power vested in the king and his council of barons the commons received no share.

At the same time another authority, also national, was taking definite shape, that of the king's council, the privy council as it was afterwards named, consisting of the chosen advisers of the king. This had begun to acquire importance in the minority of Henry III.; in the end it became to some extent a regular competitor with parliament even for legislative power.

Edward's policy on military questions was connected with his general policy of putting nationality in place of feudalism. The feudal array of barons bound to service for forty days and bringing their own retainers into the field, he did not abolish. But by the statute of Winchester he infused new vigour into the organization of the national militia, the old fyrd called out by the crown through the sheriff, and under the direct command of the king. He enforced the assize of arms, requiring every freeman to be armed according to his means. His tactics, which combined the action of the yeoman archer with the feudal horseman, tended in the same direction. Distraint

of knighthood, whereby each holder of a certain number of acres, no matter by what tenure, was compelled to put a mailed horseman into the field, also had a tendency to the creation of a national army in place of a feudal array. Even the improvement of the navy for the protection of the coast would, besides its direct object, contribute to the creation of a force eminently national, the destined bulwark and glory of the nation. Of mercenaries, under a patriotic king, we hear no more.

To curb the local powers of lords of manors, and bring all jurisdictions under that of the royal and national courts, went forth a commission of *Quo Warranto*, calling 1280
upon feudal lords to produce their titles. Then feudalism showed its teeth. Earl Warrenne produced to the commission as his title a rusty sword, by which, he said, his ancestors had won, and he meant to keep, his rights. Earl Warrenne's pedigree as heir of a Norman conqueror would hardly have borne inspection, and the sword of Norman conquest was by this time rusty indeed.

The general policy seems to have pervaded the statute 1288
Quia Emptores, regulating subinfeudation. It was enacted that upon the alienation of a feudal estate the dues and services of the purchaser should go not to the alienor, but to the original grantor or lord paramount; the effect of which would be to multiply tenancies-in-chief, and place more of the holders of land directly under the crown. It is not so easy to connect with the general policy the statute *De Donis Conditionalibus* guard- 1285
ing against alienation of estates tail, which are the basis of a hereditary nobility, unless it were that the preservation of the reversionary rights of the donor was deemed to be in the interest of the crown.

That Edward did not all this alone but had able men to assist him we may be sure, and in regard to his legal improvements are expressly informed. But the men were his choice, and the paramount purpose of superseding feudalism by nationality under a patriot king which pervades the whole policy of the reign, bespeaks the action of a single mind.

In extending the policy of nationalization to the church and making it an estate of the realm, liable to the national burdens, the king's way would be paved by the unpopularity which the papacy had contracted during his father's reign as an alien power of extortion; as well as by the diminished respect for the clerical and monastic orders, the growing jealousy of their privileges, and the increasing impatience of papal exactions which the people were beginning to betray. Grosseteste and Twenge had been pioneers of nationality as well as of reform.

The clerical estate as well as the feudal baronage was to be taught its place and its duty to the nation. Edward was religious, fully believed in the pope as the father of Christendom holding the keys of heaven and hell, and respected the spiritual jurisdiction. But he was not, like his father, superstitious. When his mother told him that a blind man had been miraculously restored to sight at his father's tomb, his answer was that his father would have been more likely to put out the vagabond's eyes than to restore them. He could rebuke the pope himself for setting Christian princes by the ears instead of uniting them in the cause of Christendom. Like St. Louis, he showed a firm front to papal encroachment, and perhaps in both cases resolution might spring from the discerning confidence of sincere religion. Papal pretension

still towered high. It towered highest, its language did at least, in Pope Boniface VIII. on the eve of a headlong fall. Popes were usurping by different devices the nomination of archbishops of Canterbury, and would fain have usurped those of the suffragan bishops also. In virtue of John's surrender, they deemed themselves still sovereigns of England; and the crown, sharing with them the spoils of the English church, was too ready to connive at their encroachment. Through three archbishops in succession, of whom the first two were papal nominees, the papacy strove to dominate in England. Kilwardby, a Dominican friar, the first member of a mendicant order who held a place hardly compatible with the vow of poverty, and a scholastic divine of eminence, proved too weak for his patron's purpose; he was made a cardinal and recalled to 1278
Rome. His successor, Peckham, a Franciscan and an 1279
ascetic, who kept six Lents in each year, set out with the aspiration of playing Becket. As soon as he landed in England, he held a synod at which he assumed an aggressive attitude towards the state, and, as a manifesto of the church's claim to her privileges, ordered copies of the Great Charter to be hung up in churches. Edward, backed by parliament, made him take them down again and apologize for his intervention in secular affairs. It was time likewise to put a limit to the absorption of land by the church, who, always taking and never giving back, would have engrossed the wealth of the kingdom, herself at the same time growing plethoric and unfit for her spiritual functions. The statute of Mortmain prohibited 1279
all grants of land to ecclesiastical corporations without a royal license under pain of forfeiture to the lord of the fief. By the ingenuity of ecclesiastical lawyers attempts

were made to elude the statute, but the legislature chased evasion through these devices, and henceforth no land could be acquired by an ecclesiastical corporation without a license in mortmain from the crown. An attempt to extend the jurisdiction of the church courts over ecclesiastical patronage and the personal property of clergymen brought on another collision which ended in the limitation of ecclesiastical jurisdiction by the statute
1285 or ordinance of *Circumspecte Agatis*. Church courts, though they affected to deal with spiritual cases in a spiritual way, became not less secular in their methods than the lay courts; not less vexatious and costly to the suitor; not less liable to technical iniquity and chicane. Henceforth the ecclesiastical courts were to hold pleas only on matters spiritual, offences for which penance was due, tithes, mortuaries or death dues, churches and churchyards, injuries done to clerks, perjury and defamation. Peckham helped the king by quarrelling with his own suffragans, and by persecuting the saint and patriot Thomas Cantelupe, Bishop of Hereford, the friend of De Montfort, for whom Edward, to prove his liberal sentiments, sought the honour of canonization. But the tug of war came with Winchelsey, a prelate full of the spirit of his master, Pope Boniface, who proclaimed himself set by God over all kings and kingdoms. Edward, pressed by necessities of state, demanded a contribution from the clergy. The pope had launched a Bull forbidding the clergy to pay any taxes to the lay power. The high church theory was that the clergy in every realm, with their property, were a province apart, belonging to the dominion of the pope; that national law was the church's trustee, national government her executioner. The lay

power, however, in the person of Edward met the pretension of the clergy to be beyond the domain of secular government in a logical way by putting them out of the pale of law. The primate's courage, when he was thus 1296
confronted, failed him. He allowed his clergy to pay, and whatever might be their theory, they never again practically refused to share the burdens of the state. The principle had been established that the church in England was not a dominion apart, but an estate of the English realm, though with a spiritual head at Rome. Thus the ecclesiastical polity of England before the conquest was almost restored. Edward bore himself through the struggle with decency, showing nothing of the violence of Rufus.

This is a memorable era in the history of law. What had been begun in England under Henry II. is greatly advanced now. From mere recognition and declaration of custom, or occasional edicts of kings, we have passed to legislation in the proper sense of the term; we come to a higher stage of civilization, life under fixed law. In France we have the *Establissements* of St. Louis; in Spain, the *Siete Partidas* of Alphonso the Wise; in the kingdom of the Sicilies, Frederick II. and his minister, Peter De Vineis, have codified the Norman law. If the baronage of England repelled the Roman law, instinct as it was with imperialism, her jurists had profited by its science. It is by Coke, the author of the Institutes, that Edward I. is called the English Justinian. In importance as a law-giver he may deserve the name, though in spirit he was far different from the Byzantine autocrat. His Tribonian was his chancellor, Burnell, unlike his master in character if he was licentious and

covetous, but faithful as a public servant, and master of his craft. Edward had also at his side Francisco Accursi, son of the great Italian jurist. His own judges would give him the common law. "Never," says Sir Matthew Hale, "did the laws in any one age receive so great and sudden advancement." Not all the ages since, he avers, have done so much in settling the justice of the kingdom as was done in the short compass of this reign. Blackstone concludes an imposing catalogue of Edward's legal reforms and improvements by observing that "the very scheme and model of the administration of common justice between party and party was settled by this king." From this epoch legal precedent runs. Whatever Accursi may have contributed in the way of form, in substance the law of England remained English and not Roman. The common law held its ground and remained a strong though uncouth bulwark of personal right and liberty. What it had received into itself of Roman law seems to have operated as a sort of vaccination.

With the improvement in the law went improvements in the judiciary. More regularity was given to the cir-
1285 cuits of the justices in eyre, and their office was made more properly judicial and less fiscal. In the fiscal part of their office as collectors of crown revenue by the exaction of dues and fines they had brought on themselves the suspicion of the people. Like other rulers in those times, Edward had to contend with corruption in his judges, his sheriffs, and all officers who handled money.

Now also a lasting form was given to the set of legal writs which will henceforth be the basis of common law procedure and learning. Now is born a professional bar, with promotion from the bar to the bench, and ecclesias-

ties are succeeded as judges by laymen learned in the law.

The statute of Merchants shows the king's anxiety to foster commerce, which besides adding to the wealth of his kingdom was more friendly to the power of whose protection it stood in need, and was less impatient of fiscal exaction than the landed interest with the jealous baronage at its head. Here again we see the all-pervading policy of taking the great interests into the hands of the central government. Protection very liberal for the age is extended to the foreign merchant. The clause giving to creditors a lien on the debtor's land as well as on his personalty, bespeaks the growing strength of the commercial interest, and shows that the character of land-ownership was becoming less feudal and more commercial. 1283, 1285

The process of development by which the judicial was separated from the legislative and administrative power was now nearly complete, though the king remained constitutionally supreme judge as well as ruler, justice being administered in his name and in his conventional presence, as indeed it is in the present day. The three courts of king's bench, common pleas, and exchequer, the first for causes between the crown and the subject, the second for causes between subject and subject, the third for fiscal causes, exist as they continued to exist till yesterday. All the three courts administer the common law, that is, the customs of the realm as modified by statute, the custom being in the breast of the judge. In the king personally is still left a general power of grace and of equitable intervention. This is exercised through the chancellor, who is said to keep the king's conscience.

The chancellor's office had originally been that of royal secretary of all departments, that of the household as well as those of home and foreign affairs, conducting the king's correspondence and keeping the king's seal. It now becomes that of a supreme judge in equity, and when it has taken complete form as the court of chancery, will supply the shortcomings, enlarge the narrowness, and temper the rigidity of the common law. The chancellor still retains his function as secretary of state, and is in effect chief minister from this time, while the grand justiciar disappears. He is an ecclesiastic, and his authority adds to the influence of his order. The Chief Justice of England, with his golden chain, has preserved something of the justiciar. The title of barons of the exchequer recalled the time when the court was a committee of the Curia Regis dealing with finance.

Disorder still called for repression when Edward came to the throne. More than once he had to show his vigour in restraining nobles from private war. A marauder fired and pillaged Boston when it was holding one of those fairs which were the life of the home trade in the England of that day. The roads were infested by robbers who lurked in the adjoining woods. That the merchant might carry his goods safely from fair to fair it was ordained that the sides of the road should be cleared. A commission of Trailbas-
1305 ton was directed against violence in general, and local guardianship of the peace was made more efficient by an improvement of the system of watch and ward, and by an advance towards the establishment of justices of the peace. The system of mutual responsibility or frank pledge, a rude expedient of primitive times, is practically numbered with the past. Always in judging a king's

policy we must bear in mind the rough and wild material with which he had to deal.

Another reform, as it was deemed, in spite of its cruelty, 1290
by the king and by the people, was the banishment of the Jews. The motive was partly religious, but it was mainly hatred of Jewish extortion and of alien domination. The Jews had not only practised grinding usury, but had been getting the land into their grasp by mortgage in collusion with greedy land-owners, who thus annexed the holdings of their weaker neighbours. From this Jews were debarred by an ordinance restricting their tenure of land. Some of them seem to have betaken themselves to clipping the coin, for which offence a number suffered. Popular feeling against them was enhanced by their ostentation of wealth. They had been admonished to betake themselves to less odious trades, but of course without effect. In banishing them the king sacrificed a rich though hateful source of revenue. At their departure the wrath of the people broke forth cruelly against the hapless race, but it was repressed by the king. That the Jewish money-lenders and financiers took away with them the commercial prosperity of the kingdom is shown by the subsequent history to be untrue. In maritime enterprise the Jews could bear no part, except as they might furnish funds. Churches, abbeys, colleges, and other public edifices, for which they are alleged alone to have provided the capital, continued to be built after their departure. That the Italian financier came in place of the Hebrew and reaped a measure of the same hatred is true; but he did not threaten England with the perpetual ascendancy of an alien and unassociable race. The nation showed its gratitude by a liberal grant.

With a policy always tending to the dethronement of feudalism and the installation of a national monarchy, Edward could not fail to arouse the opposition of the feudal magnates. At last they had him at a disadvantage, and were able to combine the show at least of regard for public right and patriotism with the interest of their class. He had always been in financial straits, having inherited an empty treasury, and being involved in costly wars. Yet in the first eighteen years of his reign he had only four times come upon his people for extraordinary grants. But the double expenditure of a war in Scotland and a war on the continent for the defence of Gascony against Philip of France reduced him to the extremity of need, and drove him to desperate courses. He tallaged the domains of the crown, for doing which, it seems, he had the letter of legal right; he laid his hands upon the stores of wool, hides, and other merchandise; he seized the treasures of the cathedrals and monasteries; he wrung contributions from the clergy. An opposition which nearly took the form of armed rebellion arose. At its head were the two chiefs of the feudal nobility, Roger Bigod, Earl of Norfolk and Earl Marshal, and Humphrey De Bohun, Earl of Hereford and High Constable. They had a confederate in Archbishop Winchelsey, who was fighting for the immunities of his order. Bigod and Bohun figure in Whig histories as patriots, and as objects of constitutional gratitude. Both of them had personal grudges, Bohun having been fined and imprisoned, Bigod having been put down in attempting to levy private war. Their patriotism is somewhat doubtful, but in resisting arbitrary taxation they had right upon their side. The first con-

flict arose from the refusal of the Constable and Marshal to serve abroad without the king. "By God, Sir Earl!" 1297
said the king to the Earl Marshal, at the end of the altercation, "you shall either go or hang." "By the same oath, Sir King, I will neither go nor hang," was the Marshal's reply. The field of quarrel widening, the earls raised a body of horse and forcibly stopped the seizure of wool and hides. Popular feeling began to show itself on their side. The king addressed a touching speech to the people outside the hall at Westminster, telling them that for their sakes he was going to meet danger, promising them, if he returned, to make amends to them for all, and bidding them, if he fell, take his son as king. The heart of the people responded to the appeal. But when the king had embarked for Flanders, and his dreaded presence was withdrawn, the two earls and the archbishop, with their party, renewed their pressure and forced the regency to give way. The king was 1297
constrained to grant a confirmation of the Great Charter, with an extension renouncing tallage, prise of merchandise, and arbitrary taxation of every kind. This memorable enactment, commonly known as the statute *De Tallagio non Concedendo*, in principle completed the groundwork of the constitution. To it was appended a provision for a new perambulation of the forests, forest encroachments being still a standing grievance. Edward was passionately fond of hunting, but he seems also to have felt that the flower of his prerogative was touched. He fenced with the demand, and when he at last frankly consented, he sought a dispensation of the pope. This act, at variance with the motto of his life, was Edward's fall, and is to be palliated only by the general error of

his age, which believed that conscience could be bound and loosed by popes. He did not act on the dispensation. The opposition would have gone further. They wanted to take from the king the appointment of the officers of state. Edward replied that complaints against any of his officers should be heard, but that if he gave up the appointments he would no more be king. Throughout the controversy he showed his sense of the true foundation of his power by throwing himself on the affection of his people.

Luckily for the king, there was a split between the lay opposition headed by the earls, and the clerical opposition headed by Archbishop Winchelsey, a politician whose strategy seems to have verged on treason; for there can be little doubt that the papal missive forbidding Edward to make war on the Scotch, of which the archbishop was the officious bearer, had its origin in his own brain. To the missive he added words of ghostly counsel, telling the king how safe were the dwellers in Jerusalem, and how they who trusted in God were as Mount Sion. "By God's blood," thundered the pious monarch, "I will not hold my tongue for Sion, nor keep silent for Jerusalem; but my right, which is known to all men, I will with my whole might defend!" On a question of national independence the baronage was with the king, and a ringing protest against interference was the answer to the pope. Edward seems to have suspected that the plots of the archbishop had been deeper still. He openly upbraided him with his treason, telling him that there were proofs of it under his own hand, and that he might go, but should never return. The archbishop went, and during Edward's life he did not return.

To promote, by all fair means, the union of the island as the only sure guarantee for its internal peace and external security was a policy which, after long and dire experience of its opposite, received in the case of England and Scotland a glorious ratification in 1707. Edward pursued it with law and right clearly on his side in the case of Wales; with law and right less clearly on his side in the case of Scotland; yet in his own way and with an object widely different from those of the conquerors whose selfish and unscrupulous ambition has been the curse of mankind. He has been accused, perhaps with justice, in this and other cases, of being extreme in insisting on the letter of his legal right. If he was, he erred with an age of feudal and papal reasoning; but it remains to be shown that in his British policy he was not justified in believing that he had at least, besides the letter of the law, the true interest of the whole island on his side.

From Cheshire, made by the Conqueror a palatinate that its earl might have force to curb the Welsh, and from the southwestern counties, Norman conquest, the way being opened for it by the clan feuds of Welsh chieftains, had pushed on into Wales, occupied the lowlands, and made of them Marches, petty feudal principalities of which the Marcher was the feudal lord. In Pembrokeshire, Henry I. had planted as an outpost a colony of Flemings. The mountain region, with the island of Anglesey in its rear, had nominally submitted to the kings of England, and its native princes owed them fealty. But it remained the home and fastness of the Celt, with the Celtic language to which he still clings, with his native prince, with his clannish instincts, with

the lawlessness tempered by custom which he called the laws of Howell the Good, with his fantastic legends, with his fond memories stretching back through ages of depression and isolation to the time when all Britain was Celtic and to the fabled glories of Arthur, with his love of the bard and the harp, with the plaintive poetry of an emotional, imaginative, and vanquished race. Never did the Welsh mountaineer lose a chance of fomenting English troubles or of backing English rebellion. Under John and under Henry III. we saw him active on the insurgent side. In this way he had preserved a relic of marauding independence. He had played his usual part in the civil commotions of the last reign. As there was nothing for it but to give the marchers a free hand, in the marches also disorder reigned. This state of things could not be borne. A conqueror, even the least unscrupulous, would have laid a strong hand on Wales; a pretext the Welsh forays would soon have afforded him, and he would have been absolved by history. Edward was not a conqueror, he was a strict respecter of law, though he might sometimes read law narrowly and sometimes in the light of policy. In the case of Wales he had the law clearly on his side. Llewelyn, the Welsh prince, owing fealty and not denying that he owed it, made default, was contumacious, and put himself in an attitude of
1277 rebellion. Edward, with the concurrence of the English estates, led an army against him. Llewelyn deemed himself unassailable in his mountains, where the mailed cavalry was ineffective and had more than once met with disaster. But Edward, acting on the principle that the valleys command the hills, girdled the insurgent region with castles and turned invasion into investment, while

the Cinque Port fleet took Anglesey. Llewelyn sur- 1277
rendered, ceded a part of his territory, in the possession of a greater part of it was confirmed on condition of a payment which was afterwards remitted and of sending hostages who were afterwards returned. His brother David, who, meaning probably to supplant him, had taken the English side, was rewarded with lands and castles, knighthood, and Earl Derby's daughter as a wife. Llewelyn did homage, spent Christmas with the king, and received the hand of Edward's cousin, Eleanor De Montfort. Hopeless now of supplanting his brother, David urged him to revolt. The pair broke into sudden rebellion against Edward, slew his people, surprised his castles, and carried away his governor. War began anew 1282
and it was arduous and costly. But Llewelyn was slain in a chance affray, and his head was brought to Edward. David, a double traitor, was given up by the Welsh, and, after solemn trial in the presence of a parliament, died a traitor's death. Wales was subdued. Its two-fold 1284
palladium, Arthur's crown and the piece of the true cross, came into the victor's hands. But the mountain tribe, whether in Wales or in Afghanistan, does not easily resign its lawless freedom. Renewed risings called on Edward for fresh efforts. Additions were made to the girdle of castles, some of which still in their ruins attest the grandeur and generalship of their founder. A set of rules was framed for the government of the principality introducing the criminal law and some parts of the administrative machinery of England. Whatever seemed tolerable in the Welsh customs, Edward, with true statesmanship, determined to preserve. That he extirpated the bards, as Hume said and Gray sang, is a romantic

fiction; their minstrelsy abounds after this time. A Round Table, held at Carnarvon with high state and a large concourse, celebrated that which, however we may feel for conquered races, must be deemed a triumph of peace, order, and civilization. To win the people to industry, mining was encouraged. Wales, however, though annexed and partly assimilated, was not at this time nor till long afterwards fully incorporated with England. It did not send members to the English parliament. The mountain region retained its political seclusion. The Welsh language lived, and with it something of a separate nationality, as was seen a century
1400- later in the insurrection of Owen Glendower, as is seen
1415 in the separatist tendencies of Wales, civil and religious, even at the present day.

In the case of Wales Edward had succeeded. In the case of Scotland fortune was adverse; yet he did not fail, but was prevented by death from completing his work, which was wrecked by the weakness of his successor. It was a great calamity to him, and, perhaps, to those with whom he had to deal, and to whom his temper was important, that in this critical hour, when the hardest trials of his life lay before him, he lost his wife. "I loved her living, and I love her dead," he said, as he ordained perpetual masses, little needed, for
1290 her soul. From Lincoln, near which she died, he bore her corpse to Westminster, and at each place where it rested, a cross, the work of medieval art in the zenith of its beauty, rose to mark the path along which the great king, turning from his course of war and statesmanship, followed the bier of love. If there is a character in history answering to Tennyson's King Arthur, it

is that of Edward I., while his Eleanor was no Guinevere.

Scotland was not a united kingdom. The people of the Lowlands were English, more purely English than the people of England itself, and had been severed from their stock only by the accident of the Norman Conquest. Normans had come among them, not as conquerors, but as adventurers; had gained ascendancy at the Scottish court and over the country; had introduced their customs, and had turned Lowland Scotland into a rough counterpart of feudal England. The Norman nobilities of the two countries were in fact one. Bruce, Baliol, and Comyn held English as well as Scottish fiefs. Several Scotch lords, among them Baliol and Bruce, were with Henry III. at Lewes. A Bruce and a Baliol had fought for England against Scotland in the battle of the Standard. But the authority of the Lowland king ended with the Grampians. Behind that rampart still dwelt, in his Highland fastness, the Celt, with his own language and customs; with his group of clans, whose separate unities the glens had preserved, owing no allegiance but to the clan chief; thoroughly alien and hostile to the Saxon, who had dispossessed him of the plain, and upon whom he deemed it meritorious to raid. Beyond the Highland clans, again, in the isles, were Norsemen, alien alike to Celt and Saxon, with habits like those of their ancestors maritime and largely piratical, under their own laws or lawlessness. The Celtic Highlander and the Islander might have as much right to the independence for which they struggled against the Lowlander as the Lowlander had to his own. To an anarchical and predatory independence none of them could have a right.

Several times the Scotch had invaded England, and there was always danger of their inroads.

Edward had been sixteen years on the throne without touching the affairs of Scotland. Alexander III., king of Scotland, died, leaving as his heiress an infant, the child of his daughter Margaret, by the king of Norway.
1290 Trouble at once arose among the turbulent baronage of Scotland. Leading Scotchmen appealed for advice to Edward, who was then in Gascony. He recommended a regency, which was appointed, and he did not hasten his return, or show any disposition to take advantage of the confusion. His son Edward, like the heiress of
1290 Scotland, was a child. He proposed a marriage between them, which would have amicably united the two kingdoms. The Scotch baronage assented, a treaty was framed, and it is allowed by all that the terms were fair and honourable to the weaker kingdom. But the
1290 little Maid of Norway, as she was called, died on her passage to Scotland. Her death, like the arrow which pierced the brain of Harold, or the fatal waft of mist which crossed the battlefield of Lützen, was one of those incalculable accidents which, turning the whole course of events, seem to make it impossible that history should
1290 become a science of prediction. Thirteen claimants to the Scotch throne now started up, civil war impended, and leading Scotchmen again called on Edward to intervene and save Scotland from confusion. Edward consented to intervene if he were recognized as over-lord of Scotland. The question of the over-lordship is debated among learned and impartial writers to this day. William I., William II., and Henry II. had forced the king of Scots to do them homage. But what Henry II.

had extorted, Richard I., to raise money for his crusade, had sold back. The question was complicated by the fealty which the kings of Scotland owed for the fief held by them as Earls of Huntingdon in England, and which brought them as feudatories to the English court and camp. In an uncritical age, at all events, Edward might believe in the legality of a claim which he had allowed to remain in suspense but had never waived; and, if the law was doubtful, or more than doubtful, the policy of union in the interest of both countries was clear. Edward's claim to the over-lordship, at any rate, was distinctly put forward, and was recognized freely and with full deliberation on the part of Scotland. As over-lord, and in no other capacity, without any special instrument of submission to him as arbitrator, Edward heard and decided the cause. It is not disputed that he heard it fairly, or 1292
that he was right in deciding in favour of Baliol, as the representative of the elder line, against Bruce who was nearer to the stock by one degree. Bruce and Baliol alike were holders of fiefs in England, but Bruce, perhaps, was the more English of the two. One of the competitors had contended that the kingdom was partible like ordinary estates, and had Edward's design been evil he would probably have decided that it was. Having given judgment he set Baliol on his throne, delivered the fortresses of the kingdom, which, pending the suit, had been placed in his hands, to the new king, exhorted him to govern well, and for four years left him to govern. There is apparently no reason for supposing that he meant to disturb anything in Scotland, or that he was not satisfied with the settlement, which simply secured peace by a feudal bond between the two kingdoms. All

that he did was to receive appeals, which was the right and duty of an over-lord, recognized by himself in his relation, as the holder of French fiefs, to the king of France, though he could not, as king of England, put his person in his French enemy's hands. We have seen what was the temper of a Norman nobility. It was probably by their own spirit of restlessness and cabal, rather than by any wound given to their national feeling by what they must have known to be a common incident of over-lordship, that the Scotch barons were
1295 led suddenly to rise against Baliol, practically depose him, confiscate the estates of Englishmen in Scotland, ally themselves with the king of France, then at war with England, and without a declaration of war invade Cumberland and ravage it, if local chroniclers can be trusted, with the usual barbarity. Upon this Edward
1295 advanced and subdued Scotland. It was his right and his duty so to do. Having made himself master of Scotland, he disturbed nothing, did harm to nobody any more, but simply annexed the country on an equal footing to England. If there was cruel slaughter at the
1296 storming of Berwick it was not unprovoked, and such were the savage habits of that age, and of ages long after this, in the case of garrisons which, after summons, stood
1296 a storm. Baliol surrendered his kingdom as forfeited by breach of fealty to the over-lord. In a parliament at Berwick Edward received the homage of the clergy, baronage, and gentry of Scotland. Thirty-five skins of parchment were filled with their names and their promises of allegiance. If such submissions were invalid there would be no end to war. Nor could supreme respect be due to an independence which signed the Ragman's Roll.

Edward, however, had now been forced to take the fatal step from the position of a rightful over-lord to that of a conqueror. Conquest in him would have been sage and mild; after the first pang the Scotch people would have found themselves freed in some measure from the domination of a lawless and oppressive oligarchy, under parliamentary government, and in the enjoyment of secure peace. But this depended on the king's presence. He was called away to the defence of his calamitous possessions in France. The retention of Gascony when the 1297
other continental dominions of the house of Anjou were happily lost, is one of the great disasters of English history, poorly compensated by freedom of trade with Bordeaux. Cressingham, Edward's vice-gerent in Scotland, seems to have been haughty and unwise, while the bearing of a victorious soldiery, unless controlled, is sure to be offensive. Perhaps in the west of Scotland, where there was a mixture in the population of a more primitive and wilder element, the very approach of order was enough to stir revolt. Wallace, whose proper name, Waleys, denotes his Celtic origin, a man of middle rank, having slain an Englishman, and being outlawed, took to the woods, gathered a band, and put to death all the Eng- 1297
lish who fell into his power. His following swelled to an army, and at Stirling, Cressingham, by madly defiling 1297
over a narrow bridge in the face of the enemy, threw a victory into his hands. Wallace invaded the north of England and ravaged it with the most savage cruelty, leaving, in the words of a Scotch historian, nothing behind him but blood and ashes. He was now master in Scotland; but the nobles would not join him, and to recruit his army he had to inaugurate a reign of terror,

setting up gibbets and hanging those who refused to enlist. Edward again entered Scotland and annihilated the
1298 army of Wallace at Falkirk, opening the serried masses of Scotch spearmen with the English long-bow, which here for the first time shows its power. Wallace was totally deserted by his following and wandered in obscurity for seven years, at the end of which he was given up by the Scotch of the other party, carried to London,
1305 tried, and executed as a traitor. His plea and the plea of Scotch historians in his behalf is that he could not have been guilty of treason since he had not sworn fealty to the king of England. He was indicted not only for treason, but for his murders, burnings, sacrileges, and other atrocities. If a private citizen of Alsace-Lorraine, after the cession of that territory to Germany, had raised an insurrection on his own account, murdered every German on whom he could lay his hands, tied German priests and nuns back to back and thrown them into rivers, hanged subjects of the empire for refusing to join his army, invaded a German province, butchered its inhabitants without regard to age or sex, burnt a church full of people, and made men and women dance naked before him, pricking them with lances, the fact that he had not personally sworn fealty to the German emperor would hardly have saved his life. The hideous mutilation of a traitor's body was the barbarism of the age. It was in the middle of the seventeenth century that the Scotch,
1650 after hanging Montrose for waging war against them, stuck his head upon a pole, sent his four limbs to four different cities, and buried his mutilated trunk under the gibbet. Wallace himself had made a sword-belt of Cressingham's skin.

The fall of Wallace brought the baronial party of independence again to the front, and Comyn, the leading noble, was elected a guardian of the realm. Edward had 1299
to make two more campaigns, which, however, proved little more than military parades. Again he disturbed nothing, took no vengeance on anybody, though the perfidy of those who had rebelled after solemn submission and homage must have stung him to the heart. The garrison of Stirling held out, contrary to the laws of war, after the surrender of the kingdom, and Edward nearly 1304
lost his life in the siege; yet he spared the garrison. He caused a convention to be held at Perth for the election of Scottish deputies to act in conjunction with English deputies on a commission for the settlement of Scotland. The commission framed a plan, making the king's nephew, John of Bretagne, governor, constituting a joint 1305
judiciary of Englishmen and Scotchmen, and providing for a revision of the laws of David, king of Scotland. This was an anticipation of the union.

Edward might flatter himself that the fire of resistance in Scotland was extinct. It was only smouldering. Yet had he lived and had his hands been free, it would probably not again have blazed; probably it would have died away. But his hands had been full of troubles and foreign war; and now he was near his end. His failing strength was no doubt marked by an ambitious adventurer at his side. Robert Bruce, destined to delay for four calamitous centuries the reunion of the Anglo-Saxon race in Britain, was no Scotch patriot, but a Norman adventurer, playing his own game, carving out for himself a kingdom with his sword, as was the fashion of his race, and as his brother Edward tried afterwards to do in

Ireland. He was the grandson of Robert Bruce, the competitor for the Scottish crown. Bruce the competitor held, with his Scotch earldom of Carrick, great estates in Yorkshire, and had been a member of the judiciary in England. His son, the second Robert Bruce, was Edward's intimate friend, had gone with him to the crusade, and was always a loyal subject of the English crown. The third Robert Bruce, now coming on the scene, was probably born in England, had lived in Edward's court, eaten his bread, borne fealty to him, enjoyed his confidence, been addressed by him as "loyal and faithful," and employed by him in receiving the submission of a Scotch district. To prove his fidelity he had ravaged the estates of one of the opposite party. It seems true that since the dethronement of Baliol he had formed an ambitious design and had been playing a double game. But a double game is not patriotism or honour. Seeing, as no doubt he did, that Edward's vigour was departing, Bruce
1305 slipped away to Scotland, laid claim to the crown, and set up the standard of revolt. Comyn, the late guardian and the head of the nobility, stood in his way. On pretence of a conference he trained him to a church and
1306 stabbed him there. To the stain of treachery he thus added the stain of murder. It does not seem that he was at first received with enthusiasm. His chief supporter was Wishart, Bishop of Glasgow, a man double-dyed in perfidy. Edward's wrath now broke forth beyond his wont, yet not wholly without measure. He pronounced sentence of death against all who had been implicated in the murder of Comyn, imprisonment during his pleasure against all who had taken part in the revolt. He carried out his sentence against Nigel Bruce, the brother of

Robert, and such leaders of the insurrection as fell into his hands. A government in our own day could scarcely do less. The Scotch exulted in what they called "Doug- 1307
las's larder," the feat of one of Bruce's adherents who surprised an English garrison in a church, slew them all, and, being unable to hold the castle, threw the bodies of the English upon a pile of wood and burnt the whole. Bruce, unable to withstand the forces sent against him, had to take refuge in the woods. But being a man of great military capacity and powers of leadership he rallied and made head again. Once more Edward heard the call of royal duty and obeyed; but his last hour had come. He was suffering from a mortal malady. Un- 1307
dauntedly he struggled with it and rode at the head of his army till he could ride but two miles a day, and at last was obliged to take to his litter. So, on the march, and still eagerly pressing forward, he ended the life 1307
which had been one long march of duty. His dying words were an expression of faith in God, with a command that his heart should be carried to the Holy Land, to an expedition for the relief of which he had looked forward as the blessed end of his long life of toil. He enjoined his son to carry his bones at the head of the army into Scotland.

Richelieu in his day crushed feudal anarchy and installed order in its room. But he did not call forth life, and the end was decay. Edward I. called forth life. His work did not decay. Hard by the beautiful effigy of Eleanor at Westminster her husband rests in a severely simple tomb. Pass it not by for its simplicity; few tombs hold nobler dust.

CHAPTER IX

EDWARD II

Born 1284; Succeeded 1307; Deposed and Died 1327

INSTEAD of carrying his father's bones onwards at the head of the army, and completing his father's work, Edward II. soon turned away from the affairs of Scotland to his pleasures, and left Bruce time to repair his reverses and seat himself firmly on the throne. After an interval of seven years, and when the troubles of his reign had begun, he led an army which his chief barons refused to join, and which could have no confidence in
1314 its commander, to total defeat at Bannockburn. So ended for many a day the hope of a united Britain. In place of it came centuries of mutual hatred, reciprocal havoc, devastating war, border brigandage, and common insecurity; of disunion in Scotland herself, the Lowland kingdom not having strength to subdue and incorporate the Highlands; of diplomatic vassalage of Scotland to France; of retarded civilization on both sides, but especially on the side of the weaker kingdom. If destiny had a partial compensation for these evils in store, it was beyond the ken either of Plantagenet or of Bruce. The game which Robert Bruce had played in Scotland his brother Edward attempted to play in Ireland, but after filling the island with havoc and tasting of Celtic inconstancy, he was encountered by a better commander

than Edward II. in the person of Sir John Bermingham, and on the field of Dundalk met his doom. 1318

It must have added a pang to the great king's death to think in what hands he left the government. If, as Horace says, the eagle does not breed the dove, he breeds the crow, and perhaps in the course of nature. Edward I., the son of a weak father, had himself been strengthened by early conflict with an adverse world. His son's weakness had probably been increased by the shelter of his father's strength and the prospect of an assured throne. The pains which his father had taken to train him for business and war, he being apt for neither, may have increased his distaste for both. He was in person a hollow counterfeit of his father; a tall and handsome figure without the soul; a man of pleasure, elegant but frivolous in his tastes and pursuits, incapable of standing alone, and always leaning helplessly on favourites. Such are the chances of hereditary monarchy; such perhaps is its corrective; for a line of strong kings might be fatal to liberty.

It seems that the age was declining from the masculine, chivalrous, and religious character which had been embodied in the first Edward, and that the mental effeminacy of the second Edward was partly the infection of his time. The end of the crusades is marked by the dissolution of the order of Templars, the great 1308
soldiers of the Cross, in France with hideous cruelty, in England with comparative mildness and respect for the persons of the knights.

A change was coming over the character of one of the political forces. In place of the Norman baronage of the Conquest, or of the English baronage which had

led the nation in its resistance to the tyranny of John and the misgovernment of Henry III., there was rising a group of magnates headed by kinsmen of the royal house, who, by marriage, inheritance, escheat, or royal favour, joined earldom to earldom and had accumulated vast domains. Of the twelve greatest fiefs, seven had come into the royal family before the death of Edward I. The formation of appanages for members of the royal family was a policy apparently strong, but really weak. Instead of being supporters, the holders of the appanages became restless rivals of the crown; and in those days ambitious energy could find no scope other than war, except in intrigue. The cabals, treasons, and rebellions of the magnates, when the government is not strong enough to control them, fill the scene; till at last there are formed two parties, ostensibly dynastic, but really oligarchical, which, in the civil war of the Roses, fall on each other's swords. At the same time there is usually a court party devoted to the interests of the crown and to its own, naturally headed by the king's favourites, and regarded with jealous hatred by the grandees.

Edward II. had formed a fatuous attachment to Piers Gaveston, a young Gascon full of gasconade, brilliant but worthless, the precursor of the minions of James I. The late king had striven in vain to break off the fatal connection. No sooner was he gone than his son was again in Gaveston's arms. Gifts, grants, and honours were heaped upon the favourite with an extravagance almost insane. Together the pair led a life of dissipation, profusion, and misrule. Gaveston, among other diversions, indulged in that of scoffing at the grandees,

giving them nicknames, and unhorsing them at tournaments, in which, as in everything martial, he showed prowess. The Earl of Warwick he nicknamed the Black Dog, and the Black Dog vowed that the minion should feel his teeth.

Signs of a gathering storm soon appeared. The government had to forbid tournaments, which were the pretexts for insurrectionary meetings in those days, as hunting parties were in Jacobite times. There was first opposition in parliament, the commons, at the prompting, probably, of disaffected magnates demanding that redress of grievances should be granted as a condition precedent to their grant of a subsidy; then there was an assemblage of the barons in arms. The precedent of Henry III. and the Provisions of Oxford appears to have been in the mind of the authors of the movement. The part of Simon De Montfort was played by an inferior actor, the king's cousin, Thomas, Earl at once of Lancaster, Lincoln, Leicester, Salisbury, and Derby, who here laid for the bearer of his title the foundation of an opposition policy something like that of the house of Orleans in its antagonism to the elder branch of the Bourbons. A committee of lords and prelates was formed resembling that formed by the parliament of Oxford, and a set of ordinances was framed and imposed upon the 1311
king. These ordinances enumerate and condemn the old and ever-recurring imposts and abuses, fiscal, judicial, and forestal, as well as the waste of the royal domains by prodigal grants and the malversation which diverted the revenues from the exchequer to the king's pleasures or to the coffers of his favourite; while the hand of the prelates is seen in the prohibition of inter-

ference with the church courts. It appears that among his irregular modes of raising money the king had been tampering with the coinage, and this grievance also is denounced. But the ordinances go on to claim a control over the appointment of all the great officers of state, as well as over the conduct of war and the raising of forces for it. It is further ordained that parliaments shall be held at least once in every year, and that a tribunal for hearing complaints against the king's officers, for impeachment in fact, shall be formed. These were ordinances of virtual deposition, against which the king was sure, if he retained a particle of royal instinct, as soon as he had an opportunity to revolt.

1308 Gaveston had been banished and had sworn not to return. But the pope, ever open to the approaches of royalty, absolved him from his oath and he returned. 1309 The lords then took up arms, and Gaveston, falling into the hands of the Black Dog of Warwick, did feel his 1312 teeth, being beheaded without trial on Blacklow Hill. His enemies might say that under the ordinances he had been banished and declared liable to treatment as a public enemy if he returned. So ended his tragi-comedy. He seems, besides his strange fascinations, to have had some capacity, at least for war, and to have done well as vice-gerent in Ireland, though he led his royal friend madly on the road to ruin.

The king now put himself into the hands of the Despensers, father and son. He struggled, as might have been expected, against the ordinances. But he was depressed by his defeat at Bannockburn, which was followed by devastating inroads of the Scotch, and 1319 presently by the loss of another battle at Mitton. Fam-

ine came to complete the unpopularity of his government as well as the wretchedness of the times. Lancaster now grasped power, making the consent of the council necessary to all acts of government and himself president of the council. But he who sets his foot on the steps of a throne should mount. If he does not, he falls. A power like that of Lancaster, even if it is popular at first, is sure to create jealousy and raise up foes, while it has no robe or diadem to command respect. Things went little better under Lancaster's ascendancy than they had gone before. His party split and general confusion followed. Suddenly the king borrowed courage from despair and took up arms. He found unexpected support. Lancaster was defeated, taken prisoner, and with a number of his partisans put to death. Like De Montfort, he was canonized by the people as a patriot saint, and miracles were performed at his tomb. But the measure of his patriotism compared with that of his ambition seems to have been small; it was small indeed if, as appears, he was in treasonable correspondence with the Scotch.

1314

1322

The party of the ordinances was now overthrown, and the Despensers, father and son, reigned in the king's name. What were their political aims can hardly be said. They were the son and grandson of a baron and justiciar who had fallen by the side of De Montfort at Evesham. The father was a veteran minister of Edward I. In a parliamentary attack on them the younger Despenser was accused of teaching the doctrines that it is to the crown, not to the person of the king, that allegiance is due, and that it is the duty of the subject if the king goes wrong to force him to mend his ways. When the ordinances were overthrown,

the restoration of royal government was proclaimed under
1322 the influence of the Despensers by the announcement that "from henceforth matters to be established for the estate of our lord the king and for his heirs and for the estate of the realm and people shall be considered and established in parliament by our lord the king and by the consent of the prelates, earls, and barons, and of the commonalty of the realm, according as it has been hitherto accustomed." This declaration, it will be observed, was pointed against the baronial ordinances, not against the prerogative of the crown. We must be on our guard through these ages against taking manifestoes of party for measures of advancing principle. The practical concessions of the ordinances were at the same time confirmed. Hence it has been conjectured that the policy of the Despensers may have been, like that of Edward I., national and anti-feudal; it must at all events have been opposed to the ascendancy of the magnates. But popularity and the support of parliament were necessary to the recovery of their power; and when their power was recovered no policy seems to have restrained the rapacity of the father or the reckless violence of the son. Favour-
1326 ites always are, or can be easily made, odious. The ease with which the government was overthrown by such conspirators as the vile queen and her vile paramour Mortimer seems to prove that it was not only weak but detested and friendless.

1326 Savage atrocity was shown by the victors in the execution of the Despensers as it had been by the other party in the execution of Lancaster. This characterized, and continues to characterize, wars not of principle but of personal rivalry and faction. After the fall of De Mont-

fort there had been forfeitures, but no executions. The nation now underwent its baptism of bloody civil war. A sinister omen also is the appearance of Orlton, a bishop, as an arch-traitor and an accomplice in the murder of the king.

It is needless to recount the tragic end of Edward, in 1327
depicting which Marlowe has rivalled Shakespeare.

Through all these troubles, revolutions, and rebellions, the work of Edward I., though sorely strained, had borne the strain. The nation had never, as in the time of Stephen, lost its organization. Government had remained parliamentary; each revolution had assumed a parliamentary guise; the king, after his victory over the magnates and the overthrow of the ordinances, had continued to call parliaments; and it was by the action of parliament, with constitutional formalities devised apparently for the occasion, that Edward II. was deposed and his crown was given to his son. Mortimer, again, proceeded to base his domination on a parliament, though a parliament, no doubt, so far as the commons were concerned, packed by his party. It has been truly remarked that the House of Commons, as a body always renewed apart from oligarchic faction and unscathed by its sword or axe, was likely to gain in authority by the confusion in which oligarchies or favourites perished. Thus the "little people of the commons" pushed their way beside the "great men" of the nobility whom they were destined in the end to thrust from power. The weak point of the Commons' House would be the want of personal continuity, in an age in which there was no political press to bridge the intervals between parliaments, keep alive leadership, and prepare the new members for their work.

CHAPTER X

EDWARD III

BORN 1312; SUCCEEDED 1327; DIED 1377

FOR four years, under the nominal kingship of a boy, the country endured the rule of a French adulteress and murderess with her paramour. But Mortimer ended like other usurpers who do not consummate their usurpation; conspiracy, which had raised, overthrew him; and at eighteen Edward III. began not only to reign but to rule. In him a part of the first Edward lived again, but a part only. He was a brilliant soldier and a magnificent man, but hardly a general and still less a statesman. His reign belongs more to the history of war than of politics, and it is a reign of calamity under the guise of victory, of splendid achievements bearing no fruit and bringing endless evils in their train. Political development, however, was promoted through the financial exigencies of war and the political element in war power was signally displayed.

It was in the right field that the young paladin gave the first proof of his prowess. Furnished with justification by Scottish raids on England, he began to conquer where conquest might have been lasting, and, if lasting, would, in the end, have been beneficent. By his
1333 signal victory at Halidon he showed that at Bannockburn the fault had not been in the army but in the commander.

He annexed Berwick, and had he steadily brought his force to bear in that direction, he would probably have annexed Scotland. The marvellous success of Baliol, who, in a moment, and with a handful of troops, made himself master of the country, transient as it was, sufficed to show that the resistance, though stubborn, was not adamantine or such as superior force and policy united might not have overcome. Unhappily, Edward was tempted to exchange the bleak and hungry north, where his real treasure lay, for a sunnier, richer, and, as it seemed to him, more glorious, field in France. He was the paragon of his age, and the age was one of warlike but frivolous adventure. The true chivalry of the crusades was dead; its knell was the fall of the Templars. In its place had come a false chivalry with fantastic orders, such as the orders of the Garter, the Thistle, the Collar, the Golden Fleece, with the adoration of the swan and the pheasant, with Quixotic vows and feats of arms, with a fatuous woman-worship, unaccompanied by any real respect for the virtue of woman. Young knights go to war with a bandage over one eye, vowing that they will not see with both till they have done some feat of arms in honour of their mistress. Now heraldry becomes a science. Of these knights-errant Froissart is the prose troubadour, and the author of "Palamon and Arcite," with its amatory extravagances, is the poet. War to these men is the most exciting and glorious of tournaments, and it is hardly more serious than a tournament, except that it yields to the victor a rich harvest in booty and ransoms. King Edward sinks the general in the champion; he throws himself into the fray from sheer love of fighting; goes into action disguised that he may

1332-1334

encounter a doughty antagonist. He and his companions in arms prepare for battle as for a feast. He refuses to order up the reserves to the support of the Black Prince at the crisis of a battle because he wishes the boy to win his spurs. The love of pomp and magnificence goes with that of glory, and the gorgeous wardrobe of Edward III. forms, like everything else about him, a contrast to the simplicity of his grandfather. The women of the upper class are infected with the fancies of the men. They dress fantastically, affect to mount chargers instead of palfreys, and ride about to tournaments with their knights, at some peril to their reputations. Their chief duty is to rain influence on the field of honour. At the
1340 battle of Sluys the queen and all the ladies of the court are with the fleet. Among the knights there is strict observance of mutual courtesy, of the rules of honour, and not only of the laws, but of the amenities and generosities of war. But all this is for a caste. The burgher and the peasant are treated as creatures made of another clay. They are despoiled and slaughtered without mercy. The Black Prince, the mirror of this chivalry, and really a noble character in his way, waits behind the chair of a royal captive, mounts him on a splendid charger while he rides himself on a hackney at his side, and indulges his wrath at a protracted resistance
1370 by putting to the sword without distinction of age or sex the people of Limoges. For the brave defence of Calais, Edward is on the point of hanging ten burghers, Eustace De St. Pierre and his self-devoted mates, though they are saved by the intercession of the queen. The king, who would be damned by failure to pay a debt of honour to another king or knight, thinks nothing of repudiating

an enormous debt to the plebeian banking houses of Florence.

These men were young, and there was a boyishness in all they did. Life was shorter, manhood was earlier, in those days than in ours. Most of the nobility seem to have died in middle age, many of them by violent deaths. "Old John of Gaunt, time-honoured Lancaster," lived only to fifty-nine. Striplings married, striplings commanded armies. Edward III. was fifteen when he was married, eighteen when he had a son. He was eighteen when he began to govern and command. The Black Prince was sixteen when he led a division at Crécy, and twenty-six when he won Poitiers. No wonder if the policy of a king at twenty was impulsive and capricious. Rather it is wonderful that Edward's diplomatic combinations against France should have been so skilful as they were.

For such spirits France offered far more tempting lists than rough Scotland, where unchivalrous barbarians broke the legs of the prisoner of war, or savage Ireland where kerne were to be chased through forest and over bog. Once more the French possessions of the king of England played their ill-starred part. To get the English out of Aquitaine, and thus round off the French realm, was a natural object of aspiration to a French king. But Philip pursued it unscrupulously, and by instigating the Scotch to attack England gave a cause of war which Edward was only too ready to embrace. Edward's claim to the crown of France through his mother Isabella was utterly untenable, since it involved at once an assertion and a denial of the right of females to succeed. It seems to have been set up rather as an engine of his military

policy than as a serious pretension. He was ready to negotiate about it, and more than once he neglected opportunities of entering Paris and assuming the crown. The results were a hundred years' war, with intervals of hollow peace, between two countries whose friendship was most essential to each other, and an enmity which continued even when that war had closed, helped to bring on other wars, and on the side of France at least has not died out at this hour. Such victories as Sluys, Crécy, and Poitiers exalted the spirit of the nation, brought it high renown, and extended its influence in Europe; yet they were dearly purchased by the humiliations which inevitably followed when the untenable conquest slipped away, and by the love of blood and rapine which, as the sequel proved, they bred. Wealth won by plunder is always curst, and curst in its effects on national character was the wealth which England won by the plunder of France. Lightly it had come, lightly it went. It produced for a time an outbreak of wasteful luxury with tasteless extravagance in dress, which was followed by impoverishment and depression. On France her king, in provoking Edward's pugnacity and ambition, brought worse evils; the devastation, sweeping and repeated, of her fields and cities by the cruel warfare of the day; the ravages not only of the invader but of the savage bands under robber captains which were the offspring of the war; the wreck of a civilization before blooming and full of hope; the terrible Jacquerie, or rising of the peasants, goaded to despair by the destruction of their harvests and the extortion of ransoms for their captive lords; and worse even than these, the destruction of political life and of the germs of political institutions other than the

monarchy. Beneath the protection of the monarchy the people were fain to cower, and it thus became a despotism gathering oppressions and abuses till all was swept away by the whirlwind of revolution.

The war, however, itself produced military changes which were not without political effects. A new force, comparatively democratic, appeared on the field of battle to break the ascendancy of the feudal horseman. One summer afternoon, on a rising ground, surmounted by a windmill, near the village of Crécy, there lay a small English army, brought by the errors of its king and com- 1346
mander into a desperate pass, out of which it had now to fight its way, as British armies have since more than once fought their way out of desperate passes into which their commanders had brought them. The mailed chivalry of England with their barbed chargers are there around their chivalrous king. But they have dismounted and fight on foot. In front is a body of archers armed with the long-bow, the force of which has already been felt on Scottish fields, but is new to the battlefields of continental Europe. They are men drawn from the yeomanry, many of them, no doubt, from the holders of land by villain tenure, which no longer implies personal degradation. They are seated on the ground to keep them fresh, and have been well fed by the care of their commander, who is a king of freemen and sees in them his companions in arms. The eyes of the whole army are turned towards Abbeville, the quarter from which the enemy is expected to appear. A heavy thunderstorm sweeps over the plain. As it passes away the enemy appears. His army, vastly outnumbering the English, consists of the chivalry of France under their king, a splendid cavalry; an in-

fantry of serfs, half-armed and unorganized, dragged by force from their hovels to the field, mere food for the sword; and a body of Genoese crossbowmen come to sell their blood for foreign gold. There is no discipline or control. The word is given to halt, but is disobeyed by the impetuous chivalry; and the whole host precipitates itself blindly on the English position. The Genoese are ordered to form and commence the attack, which they do unwillingly, being wearied by the long march without refreshment, while their bowstrings have been slackened by the rain. They form, however, and with a shout let fly their quarrels. They are answered by the English archers with a flight of cloth-yard arrows, under which they soon break and begin to fall back. "Kill me that rabble!" cries the king of France. The French chivalry, in its mad pride, tries to charge over the Genoese. Utter confusion ensues, and the French army becomes a struggling mass, into which volley after volley of arrows is poured with deadly effect, while a corps of Welsh light infantry, slipping among the fallen or helplessly jammed horsemen, finds the joints of the armour with its knives. The results at evening are a plain covered with the bodies of eleven princes and twelve hundred knights, besides men of the meaner sort without number. The effective range of the long-bow was greater than that of the fire-lock; its discharge was far more rapid than that of a muzzle-loader; as it required to be drawn to the ear, there could be no shooting without aim; the eye of the archer as he plucked the arrows from his quiver was not taken off his mark; there was no smoke to hinder his sight. No weapon ever did more execution. For a century, at the least, the English archery was supreme in

war, foreign or civil. A peasantry comparatively free and trained, trusted with effective weapons, a comparative union of classes, national feeling bred of national institutions, and comradeship of the king with his people formed the political elements of the war-power which won Crécy. Villani says that cannon were used in the battle. He is probably wrong, but they came in at this time, and were presently used in sieges. The cavalier of feudalism was dismounted, and its castle wall fell down.

At Sluys the English took, by boarding or hand-to- 1340
hand fighting, the whole of a vastly superior French fleet. This was almost as much a land as a naval action, the enemy being at anchor in his port. The victory over the Spanish fleet was not less brilliant and more naval. Edward paid attention to his navy, and the maritime character of the nation, which brought with it, besides general vigour and enterprise, security from invasion and exemption from standing armies with their political effects, made progress during this reign.

The composition of the armies was a mixture of fast-receding feudalism with the advancing system of national administration. Tenants of the crown were still under the feudal obligation of bringing their retainers to the king's standard. The national militia was called out under the statute of Edward I. by commissions of array. These were home forces, but the men once called out were pressed or tempted to enlist for service abroad. Most of the troops, however, were raised by contract, either with warlike nobles who enlisted the men on their estates, or with professional captains like the condottieri of Italy. Enlistment was for the war only. All yeomen were practised with the bow. High pay was drawn by the

chiefs both for themselves and for their men. Thus national, feudal, and professional elements were blended in Edward's camp. The gaol also was made a recruiting ground in these as in much later times. As the war went on, and the demand for military skill and experience increased, the professional captains came to the front, supplanting the feudal lords. Among the famous lieutenants of Edward III., if the Earl of Derby was a grandee, Manny, Chandos, and Calveley were simple knights, and Knolles, according to some chroniclers, was of still humbler birth. Some of these soldiers of fortune came home rich with spoils and built mansions wherein to tell their stories of Sluys, Crécy, and Poitiers.

Of ships the crown had but few. The war fleet was raised by a sort of naval commission of array. The seamen of the Cinque Ports were its core. On them rested the special duty of maritime defence. In return they enjoyed high privileges and honours, their barons carrying the canopy over the king at the coronation. They lived always in the face of maritime danger and were perpetually engaged in irregular and piratical if not in regular war. Edward's victories at Sluys and over the Spaniards brought the navy to a high pitch of glory.

1335 There was a political tendency again in the alliance with the manufacturing democracy of Flanders and its dictator, Van Artevelde, against the feudal Count of Flanders and the feudal monarchy and nobility of France. English fleeces fed Flemish looms, and wool was king then as cotton is king now. It was diplomatist as well as king, for it gave birth to the Flemish alliance. The pikes of Flemish burghers and mechanics

were destined to win over the French chivalry a victory almost as startling as that of the English bow at Crécy, though the pike in the hands of the burgher and mechanic failed to sustain itself like the bow drawn by the yeoman. It was in attempting to transfer the allegiance of Flanders to an English prince that Van Artevelde met 1345
his doom at the hands of a mob. Democracy, as yet, has no confidence in itself. It was partly to satisfy the demand of the Flemish burghers for the political shelter of royalty that Edward styled himself king of France. English alliance with Flanders was the counter-move to the French alliance with Scotland.

The war with France could not fail to stimulate English nationality. English instead of French, hitherto dominant, is made legally the language of state, though the French still clings to its hold on the jargon of the law. English literature has now a new birth. Wycliffe is its first great prose writer. Chaucer is its first great poet. He is followed by Gower and Lydgate. The poor have a poet in Langland. Popular and patriotic ballads express the rising spirit of the nation. In the ecclesiastical sphere also nationality prevails and begins to shake off subjection to the papacy. The papacy had been captured by the French monarchy and placed under its wing in a huge castle of corruption at Avignon. Popes had come to be regarded as diplomatic tools of France. Englishmen said, "If the pope is on the side of France the pope's master is on our side." Papal intervention is treated with disdain. The payment of tribute to which John had forced the nation is renounced. When the pope lays Flanders under an interdict, the king sends English priests who cared not

for the interdict to perform service. By the statute of
1351 Provisors an end is put legally to the appropriation of English benefices by the pope, and though, through the connivance of the kings, who shared the booty with the popes, the statute fails of its full effect, it shows the temper of parliament. It will presently be followed by the
1353 statute of Præmunire, restricting under heavy penalties appeals to Rome, and thus cutting off the main stream of her lucre. More than this, there is a general movement, provoked by the worldliness and vices of the clergy, against ecclesiastical wealth and influence. Jealousy is shown of the engrossment by ecclesiastics of the great offices of state. Laymen instead of ecclesiastics are made chancellors and heads of the administration. Nor, as will presently be seen, does the anti-clerical movement end there.

Poitiers and other feats of arms might follow Crécy; the Black Prince might win in French fields the halo of renown which still surrounds the mail-clad effigy recumbent on his stately tomb. His companions in arms, Chandos, Manny, Knolles, Calveley, and the Captal De Buch, might vie with the exploits of their leader, and sweep fortunes from plundered and bleeding France. The Round Table might gather round the warrior king its circle of chivalry, nobler at all events than a circle of Versailles courtiers or of old grandees invested mainly by their rank in the peerage with a title which was denied to Nelson. Castle, manor house, and cottage in England might be full of French trophies and stories of French fields. The end, nevertheless, was sure. The conquest of France was a wild and mischievous dream. It was never even steadily pushed to completion. At

last, the enemy having learned to avoid battles in the open field, it degenerated into a series of aimless raids over a country stripped too bare to feed the invader. Scotland in alliance with France hung always on the rear of England, though at Nevill's Cross she suffered 1346
total defeat and the capture of her king. The exhaustion of both sides was expressed by truces, during which armies, being unpaid, broke up into bodies of banditti, free companies as they were called, which pillaged at random and did not spare the pope. France found in Charles V. a prudent king, in Bertrand Du Guesclin a soldier skilful in the war of posts. Age paralyzed king Edward, mortal disease his heroic son. At last, of all that the sword and the bow had won, nothing but the preposterous claim to the French crown, except Calais, was left. Calais, to which England thenceforth passionately clung, had value as commanding the Channel in days when no waters were safe from piracy. Unfortunately it proved in after times the too alluring gate for a renewal of the mad scheme of conquest.

The politics of the reign consist chiefly in stretches of prerogative on the part of the king to obtain money for the devouring expenses of his wars, met by fitful resistance and affirmation of right on the part of parliament. It is fair to remember that parliament had gone with the king into the war, and that it was ill-informed and ill-qualified to measure the necessities of war or government. It was so ill-informed as to assume that there were more than four times as many parishes in England as there were, and thus to over-rate fourfold the produce of a tax. It was haunted by a belief that the king could live, or ought to live, "of his own," that is, of the domains and

proprietary dues of the crown, which were by this time far from sufficing to defray the costs of government. The king was reduced to such straits that he had to pawn his crown, to become bankrupt, and by his bankruptcy to ruin the Bardi and Peruzzi, the two great financial houses of Florence. He tried arbitrary methods of raising money. In disregard of his grandfather's pledges he tallaged the domain towns. He empowered commissioners to receive fines, grant pardons, sell permissions to marry the wards of the crown, and gather money by all means that the feudal system provided. He laid his fiscal grasp upon commerce, which was still in a comparatively uncovenanted state. He laid imposts especially on the wool, which was the great article of trade, with a value almost like that of currency, as tobacco once had in Virginia. When he had been prevented from raising the money by a direct tax, he raised it by tricky arrangements with the merchant. It was for this purpose that he insisted on having all the wool brought for sale to a particular mart, or staple, fixed by royal order; a measure which is held to have combined the king's power of regulating commerce with his power of licensing fairs. He wrung money out of the feudal wardships, seizing upon those of mesne lords as well as his own. He exacted feudal aids for knighting his sons. Fines and penalties were another sinister source of his revenue. He abused purveyance, the oppressive and hateful privilege of taking for the king and his retinue wherever he went, carts, horses, and provisions at a nominal price, which was apt not to be paid. He raised forced levies and compelled the district to equip them. He seems to have tried not only special dealings with the

merchants, but assemblies of merchants, more manageable than parliament, to lend a colour of authority for his encroachments. For failing to supply his financial needs, he cashiered and persecuted his chief minister, Archbishop 1340
Stratford, and almost drove him to play the part of Becket long after date. With Stratford he waged a sort of pamphlet war, which showed that public opinion was alive. One consequence of the quarrel was the assertion by the lords of the right to be tried only by their peers. The parliament struggled with increasing obstinacy and success as the tide of the king's fortunes ebbed, and with it his personal ascendancy and the hold over the military aristocracy, which had made him almost irresistible for a time. Theoretically the parliament not only asserted but enlarged its rights. The king finally renounced the prerogatives of tallage and maletolt, that is, of taxing the domain towns and of laying imposts on merchandise, thereby rounding off in law at least the system of parliamentary taxation. He promised redress of the abuses of purveyance and impressment. He formally submitted to examination of his expenditure, to control in the appointment of his ministers, and to their being called to a regular account at the opening of the parliamentary session. He accepted in fact the leading principles of responsible government. But he seems, when pressed by his necessities, to have broken through his engagements; once he shamelessly cancelled, when parliament had risen, his assent to a remedial statute, avowing that he had been dissembling for the purpose of expediting business. So brilliant a personage it was difficult to bind. He seems, however, to have been pretty ready to assent, nominally at least, to anything except restrictions on his power of

raising money. Devoted to war and glory, he had hardly any domestic policy except that of drawing supplies.

It is due to Edward III. at the same time to say that, whether it were for the purpose of his exchequer or with a larger and better policy, he did his best to foster trade. By war no one can really make trade flourish, since trade depends on wealth, which is destroyed by war. Edward made trade flourish, not by his wars but by his commercial diplomacy, especially by his connection with the Flemish looms and by his efforts to restrain piracy on the seas. He was repaid by the strength with which commerce supplied him in his wars. Commercial wealth is increasing, leading merchants are becoming great men. Instead of mere exporters of the raw material, the English are becoming manufacturers of wool.
1363 Sir Henry Picard, a vintner, entertains at his London mansion the king of England and two captive kings with a sumptuous feast, followed by gambling on a grand scale. The statute-book is full of commercial legislation, mostly protectionist and meddling, and therefore unsound; yet perhaps not so manifestly unsound or, it might be, so wholly devoid of economical justification in those days as it would be in ours. Forestallers and regraters rightly viewed were but middlemen, yet their tricks may have obscured the right view.

Parliament is in full activity. More than seventy writs for its meeting are issued during the fifty years of the reign. Its organization is being completed. It is now definitively divided into the two Houses, Lords and Commons, which sit in separate chambers. There are conferences between the Houses. Parliament is opened with a sermon from the chancellor, when he is an ecclesiastic,

something like the king's speech of later days. Debate seems to be becoming oratorical; at least Wycliffe puts into the mouths of politicians highly figurative invective against the wealth and immunities of the clergy. The House of Commons has its Speaker, to be its mouthpiece in addressing the crown and to preside over its own discussions. It secures its legislative authority by insisting that its petitions, the assent of the crown to which it makes a condition precedent of its grant of supplies, shall be embodied in regular statutes, so as to preclude surreptitious alteration. It is consulted by Edward III. on questions of peace and war to an extent to which it is not directly consulted on such questions at present; though the king's object was to make it responsible for the cost of his enterprises, as by a certain coyness in taking advantage of its privilege it showed itself aware. It is generally active in legislation. It reforms the abuses of the judiciary, both national and local, into which in those 1353-
days of supposed romance corruption was always creeping, and supplies, perhaps, the surest remedy to the evil by voting sufficient salaries to the judges. It enacts that sheriffs whose abuse of their office is a perpetual subject 1357
of complaint shall not be appointed for a longer time than a year. To purge itself of jobs committed under cover of legislation it forbids the election of lawyers as knights of the shire. It excludes sheriffs, perhaps for a similar reason. It obtains the sanction of the crown to a treason law, strictly defining the offence, which, while it remained 1352
in effect, was one of the great safeguards of liberty. Royal judges had been construing doubtful acts or loose words as treason, which entailed forfeiture of estate to the king. The commons show themselves distinctly con-

scious of their representative character, telling the king that they must consult their constituents before agreeing to his demands. There is a tendency to complete amalgamation between the two elements of the House of Commons, the knights and the burghers, knights being elected for towns. There is also a tendency to alliance between the lay lords and the commons against the clerical element which predominated in the Lords' House.

At the same time the House of Commons showed plainly that it was an organ of the governing and employing class. Labour having become scarce, and its price having risen after the decimation of the labourers by the fearful ravages of the Black Death, parliament
1349 passed an act, the first of a series, to regulate wages and compel the labourer to work at the old rates. The notion that the regulation was impartial, and a proof that the economical and social policy of those days was in a higher spirit than ours, is manifestly absurd, when the avowed object of the statute is to prevent the demand for excessive wages, and when the penalties are imposed only on the labourer for demanding higher wages than the statute allows, not on the employer for giving lower. A subsequent statute indeed imposed a penalty on the employer; but it was for giving wages above, not for giving them below, the legal standard. The statutes of Labourers were accompanied by sumptuary laws, ostensibly to repress luxury, but in reality, it is probable, as much with a view to preserving the distinction of classes, and preventing the burgher or yeoman from treading on the gentleman's heel.

Taxation has been passing from the rude feudal system of tallage, carucage, and scutage, to the simpler and

more modern form of a subsidy or property tax, granted by parliament and levied on a regular assessment, together with duties on wool and customs on merchandise. The change could not fail, besides its fiscal advantages, to facilitate the political action of the assembly by which the grants were made, and which was enabled to control government by a regular bargain for redress as the condition of supply. Taxation, as it were, showed a front against which reform might move. The nation was enabled to measure its burdens and to see what a policy cost. The awkward practice, however, remained of granting subsidies in kind, the tenth sheaf, the tenth lamb, and the tenth fleece, as tithes were taken till recent times.

To Edward or his ministers belongs the credit of completing the institution partly introduced by Henry III. and Edward I., of justices of the peace, of which Coke says that "the whole Christian world hath not its like." The justice took the place of the hundred court. When soldiers, some of them originally convicts, were returning from raids in France, the justices of the peace were sure to have work enough.

The last years of the reign were sad. The conquests were lost. The Black Prince, not satisfied with France as a field of bootless adventure, had carried his Quixotic 1367
arms into Spain as the ally of the tyrant Pedro the Cruel, whom his fancy seems to have invested with the character of a representative of legitimate right. He had won a barren victory, tasted of a tyrant's ingratitude, lost half his army by disease, and ruined his own health. The victor of Poitiers and Navarette came home to England 1376
to die. Philippa, Edward's noble consort, the light of his court and camp, whose intercession saved him from the

1369 disgrace of hanging the burghers of Calais, was dead; and her place at Edward's side was profaned by the harlot Alice Perrers. The princes in whose hands the king's policy had accumulated the great fiefs would, he fondly hoped, become pillars of the throne. This family compact was to be exalted and strengthened by the introduction
1337 of the high title of Duke. But the result was a crop of ambitious rivalries, rather than loyal support; and the train was laid for jars, out of which came fierce family feuds, and at last dynastic war.

John of Gaunt, Duke of Lancaster, Edward's fourth son, by marriage with his kinswoman, Blanche, had succeeded to the earldoms and the vast possessions of the house of Lancaster; to these by a second marriage he added an imaginary claim to the kingdom of Castile and Leon, his attempts to assert which cost the country dear. When the king was sinking into dotage, and when the Black Prince was dying and leaving only one child as
1376 his heir, Lancaster seized the government; not, it was suspected, without still more ambitious designs. He affected religious or at least anti-clerical popularity, and though himself a loose liver as well as a political intriguer formed an alliance with Wycliffe and the religious reformers, while he courted the harlot, Alice Perrers. His attacks were specially directed against William of Wykeham, Bishop of Winchester, a characteristic figure of the age, bishop, minister of state, and architect royal, the founder of New College and Winchester School, the builder of Windsor Castle, and the most respectable of the prelate statesmen of his day. The Black Prince dragged himself from his sick bed to lend his authority to reform and to secure the right of his child.

The Good Parliament, as the Speaker of which Peter 1376
De La Mare won renown, drove the Lancastrians from power, banished Alice Perrers from the court, and in arraigning the chief instruments of corruption, Lord Latimer the chamberlain and Lyons the financial agent, won for parliament the momentous power of impeachment. Lyons did not want the effrontery to send a large bribe to the Black Prince, which the Black Prince returned. The Good Parliament also insisted on other reforms, notably on one which lay at the root of all, the free election of knights of the shire, untrammelled by the dictation of the sheriff, through which Lancaster had no doubt been packing the House of Commons. A demand for the enforcement of the statute of Labourers at the same time betrayed the class character of the assembly. After the death of the Black Prince, Lancaster contrived to pack a new House of Commons, and the work of the Good Parliament was undone. The death of the king, in 1377
whose name the misgovernment was carried on, broke up the conspiracy of corruption, put Alice Perrers once more to flight, and opened a new scene.

CHAPTER XI

RICHARD II

BORN 1366; SUCCEEDED 1377; DEPOSED 1399

WE are drawing towards the end of the middle age. In England this is the dawn of the Renaissance, while in Italy the sun is high. Chaucer's joyful note is heard like that of the lark heralding the day. In the statutes of William of Wykeham for his college we find a care for the teaching of grammar, which has been generally held to indicate dawning regard for classical education. Gothic art has reached the last of its successive phases of beauty.

The religious part of the medieval organization has given way; the faith which sustained it has been growing weak, and ceasing to elevate character or inspire noble action. The church shows in increasing measure the evil effects of political establishment and wealth. The clergy have become worldlings, imitators of lay luxury, attire, and sports. Of the bishops, about the best are Courtenay and Wykeham, and these are not spiritual fathers, but worthy statesmen. If the episcopate had ever been the serf's door to high place, it was so no longer, for the bishoprics were filled by rank and family interest. Chaucer's "Poor Parson" is, like Rousseau's "Vicaire Savoyard,"

evidently an ideal and a rebuke to the reality. The friars, once the best, are now worst of all. Their ascetic mendicancy has sunk to mendicancy without the asceticism. They have become peddlers of false relics, vendors of indulgences and spells, casuistical corrupters of morality, and low agents of intrigue and conspiracy. Society in England has been demoralized by the French wars, everywhere it has been shaken by the Black Death.

The Pope has been sinking from the position of a supreme and impartial head of Latin Christendom, which he once asserted, into that of a vassal of France. He has been deserting the chair of St. Peter and in his unhallowed 1305
retreat at Avignon amassing wealth by sale, more flagrant than ever, of ecclesiastical justice with its complicated chicaneries, and by increased abuse of his assumed privilege of appointing to bishoprics and benefices. The great schism in the papacy comes to complete its degradation. 1378
The papacy once professed to reform the kingdoms of the earth. The kingdoms of the earth are now called to reform the papacy. In England national spirit has risen against the pope and all that belongs to him. His demand for the arrears of the tribute due to him as sovereign of England in virtue of the surrender of the kingdom by John has been met with proud and unanimous refusal. There has been a movement against the employment of ecclesiastics in offices of state. There are ominous symptoms of a desire to lay hands on the useless wealth of the church. It seems that England is beginning to detach herself from the papal confederation.

Wycliffe appears upon the scene, a preacher not only of spiritual reform, but of ecclesiastical revolution, perhaps in his own despite of social revolution also. He was

a professor of theology and religious philosophy at Oxford, famous in his time, and thought worthy to be ranked with the great schoolmen. He forms round him a company of young and ardent disciples, whom he calls his Poor Priests,
1378 and whom he sends forth to combat the malignant influence of the degraded friars and restore the life of religion. The boldness of Wycliffe and his disciples as doctrinal innovators is astonishing. They are in advance not only of their own, but of later times, almost of the present. They assailed the idolatry of the Mass and the sacraments generally, the validity of holy orders without personal grace, the celibacy of the clergy, vows of chastity, auricular confession, the use of exorcisms and benedictions, purgatory, indulgences, prayers for particular dead persons, pilgrimages, and image-worship. "This new and pestilent sect," says a reactionary bishop in founding a college for the defence of orthodoxy, "attacks all the sacraments and all the possessions of the church." It attacked the possessions of the church in attacking the sacraments, on the belief in which the power and wealth of the church depended. The wealth and secularism of the clergy were the objects of Wycliffe's direct hostility. He was a reformer rather than an apostle; his hand held the fan which purged the threshing floor rather than the torch which kindles religious love. He who wishes to change mankind must bring to bear a new motive power. Wycliffe's system lacked a positive doctrine like Luther's Justification by Faith, Calvin's Predestination, Wesley's Love of the Saviour. It lacked, also, the wings of printing to waft its message abroad. The movement, therefore, came and departed like the shock of an ecclesiastical earthquake. The translation of the Bible was its chief

fruit, and most momentous as giving an appeal from priestly authority to the Word of God. But it had a social as well as a religious side, and in this way took immediate and terrible effect.

The boy Richard came to a throne still strong and 1377
gilded with the lingering rays of the sun of Crécy, but to a bad and dangerous state of things. The government was discredited by defeat; the French had been attacking the southern ports; the finances were embarrassed. The social world was out of joint. The author of "Piers 1362
Ploughman" is, no doubt, an honest though querulous and unmelodious censor. He describes a period of greed, oppression, knavery, and bad relations between classes. Scarcely had the new reign begun when there came on a social storm, in which it seemed for a moment that society would be wrecked. The strikes and industrial disturbances of England at the present day, though they alarm us, are mild and little dangerous compared with the Revolt of the Serfs. For a parallel to this, to the Jacquerie of France, or the Peasants' War in Germany, we must look to the French Commune, or imagine Anarchism for an hour triumphant and giving effect to its dreams of havoc. It seems that the system of villainage, that is, of holdings under a lord, paid for by forced labour, had been going out. Forced labour was found to be little worth, and the villain wandered from the manor to the town, or perhaps to the camp. The system of hired labour had been coming in. When by the scarcity of labourers after the Black Death wages were raised, a parliament of employers had tried by statutes of Labourers to keep wages down to old rates. This failed, as it was sure to fail. The land-owners, in what way does not clearly appear, used

their manorial rights to put the screw on the villains.
1381 The villains rose in revolt. This is deemed the probable cause of the outbreak, so far as the outbreak was economical. The demand of the insurgents accordingly was for the abolition of villainage and for the allotment of land at a fixed price, so that they in some measure anticipated the agrarianism of the present day. In Kent, where their revolt broke out, villainage did not exist. But their demand was necessarily for something tangible; they could not have framed a petition for a new heaven and a new earth. It was a time of general discontent and unrest among the labouring classes. The agitation was likely to be increased by the presence of a number of disbanded soldiers, against whom the harsh vagrancy law which accompanied the statute of Labourers may have been partly directed, and who would bring back high hearts from fields of victory. Perhaps they brought also tidings of the revolt of the commons in Flanders and of the French Jacquerie. A wave of social disturbance seems to have been sweeping over Europe. The soundness of the manorial system depends upon the presence of the lord and his performance of his duties to his dependents; and the English landlord had been drawn away to the camp of Edward and to his gay court, as the French nobility were afterwards drawn away to Versailles, probably with a similar result to their local connections and influence. The bishops were politicians and courtiers, neglecting their dioceses, sometimes hardly going near them; and the sequel showed that neither the parochial clergy nor the monks had retained their hold upon the people. The monks had in fact by their impropriations of tithes greatly impaired the parochial system, while

between the abbeys and the people, especially in the towns, petty litigation about rights and franchises was always going on.

There was, perhaps, a deeper cause than these, and one which comes more home to us at the present day. Wycliffe had preached a spiritual communism of a rather mystical kind. This became material communism in the preachings of his coarser and more violent disciples, such as the clerical demagogue, John Ball, whose text was

> When Adam delved and Eve span,
> Who was then the gentleman?

A sense of the unjust inequalities of the human lot, and a desire to redress them by force, had then taken possession of the minds of the masses. Gospel communism presented an ideal. The people seem to have dreamed of nothing less than the extermination of the governing class and the destruction of all existing titles to property, so that the world might be again as in the days of Adam and Eve. Plan of political reform or reconstruction they had none. While they massacred and plundered the gentry and the hierarchy, whom they regarded as their oppressors, they professed a childlike loyalty to the king. They even, with the usual inconsistency and infirmity of mobs, wished to have gentlemen for their leaders and forced one or two to take that part. The political watchwords of the insurgents were not uniform. Some shouted for Lancaster, others thirsted for his blood. There was a miscellaneous alliance of all the elements, general and local, of peasant discontent.

A poll tax, the desperate resort of a government in 1380
financial despair, brought the evils of the administration

home to the feelings of all. An insult offered by one of the assessors to the daughter of Wat Tyler, a workman
1381 of Kent, is supposed to have been the spark which fired the mine. The rapidity with which the conflagration spread through the south, east, and north showed that the hearts of the peasantry were in a highly inflammable state, since concert was hardly possible where there was so little of mutual intelligence and communication was so slow. An appalling reign of havoc, murder, and incendiarism ensued. Lawyers as the guardians, and legal documents as the muniments, of the established order of things, were the special objects of rebel fury. No lawyer was spared. The very possession of law papers and even of pen and ink was death. A large body of insurgents under Wat Tyler made themselves masters of London, the gates of which were opened to them by a sympathizing populace, and there revelled in atrocities which anticipated the Faubourg St. Antoine. Sudbury, the chancellor, was butchered with double gusto, being at once the head of the law and an archbishop. Authority was paralyzed. The garrison of the Tower, six hundred men-at-arms and as many archers, tamely allowed the rioters to enter the fortress and insult the king's mother in her own chamber. If we can believe the common account, the capital of the country was saved by the courage, presence of mind, and decision of a king of fourteen, who, at the critical moment, rode forward and cast the spell of royalty over the wavering minds of a savage and masterless crowd.

Richard appeased the peasants and persuaded them to
1381 disperse by granting them charters of manumission, a measure irregular, of course, since the king could not by

himself alter the law of property, but warranted by the crisis. These the parliament cancelled by a unanimous 1381
vote, showing once more that it represented the dominant class. As suddenly as the vast waterspout had formed, it broke. Authority and law resumed their sway, gathered up the relics of their muniments, and plentifully avenged with the gibbet and the axe their overthrow and disgrace. Despenser, the warlike Bishop of Norwich, was conspicuously active in repression, maintaining his double character by shriving a prisoner before he turned him off. Grindecobbe, a serf of St. Albans, shines amid the wreck of his cause, a peasant hero, willing to give his life for the liberties of his class. The peasants did not succeed in levelling the inequalities of the human lot. How far they succeeded in getting rid of villainage is a moot point among economical historians. That they did not at once gain its total abolition there are subsequent facts to show. Legislative war continued to be waged by a parliament of employers against the emancipation of labour. Statute after statute was passed fixing the rate of wages, punishing all who took more than that rate, and striving to bind the rural labourer to the soil by means of rigorous vagrancy laws and prohibition of apprenticeship to trades. But natural forces prevailed. Escape was open to the serf from the manor to the town, a year's residence in which barred his lord's claim to him, to the camp, to the sea. The superiority of paid to forced labour would make itself felt, as it has in the Southern States of America, where cotton has gained by the abolition of slavery. Gradually emancipation was brought about. At last nothing remained of villainage save the legal curiosities of copyright.

The reign of Richard II. is a mystery, sometimes an impenetrable mystery, of intrigue, cabal, and treachery, showing that the age of fealty is passed and that religion is losing power. The general key is the growth of that oligarchy of magnates, the chief of them belonging to the royal family, with vast possessions and high titles, such as duke, marquess, and earl, which overshadows the old baronage, and competing for possession of the government crowds the scene with faction and intrigue. The same force which Richard displays in confronting Wat Tyler's insurgent host he displays by fits in after life, but it alternates with weakness. Kingship in his teens had spoilt him. His impulses were wild. In the middle of his wife's funeral in Westminster Abbey he strikes a noble; he challenges four lords to fight; he assaults a judge; kicks a nobleman's cap across the room. His delicate features, hesitating speech, and easily flushing face, are the outward signs of a temper passionate and irresolute. Heir of a splendid throne, he is, as Shakespeare paints him, full of the divinity of kings and inclined to assume the god. Probably he was too fond of pleasure and pageantry. He was young, and England was feeling the voluptuous influence of the Renaissance. He had bad companions in his two half-brothers the Hollands. His household was probably too expensive. That he had ten thousand guests at his table and three hundred cooks must have been a calumnious fable. When the king's household comprised the only bodyguard which he had, it might well without abuse be large. Richard's government paid for Crécy and Poitiers; it inherited a disastrous war, with its ruinous expenditure, and the danger of invasion. It seems that his inclination to peace with

France, wise though it was, and a redeeming feature in his history, injured his popularity with a nation inflamed by conquest and ignorant of the cost.

Round the king was a court party of men whom the opposition perhaps with truth called favourites, though not all of them were unworthy, either not nobles or nobles of secondary rank, such as De Vere and Simon Burley in the early part of the reign, the Earl of Wiltshire, Bagot, Bussy, and Green at the end. These men strove to keep power in the hands of the king, upon whose favour they throve. On the other hand, there was the high nobility, the group of magnates with the princes of the blood at their head, with their grand titles, with their immense revenues, with hosts of retainers in their livery, full of feudal pride, and rendered restlessly ambitious by the game of conquest played on the French board. The contests of these oligarchical groups for ascendancy, their hereditary feuds, cabals, and mutual assassinations, henceforth fill the political foreground, though in the background is still the parliament. It was the aim of these men to keep the king in tutelage as long as possible. This they effected through a parliament which they no doubt controlled. When the king had broken through the leading strings they formed conspiracies to get government out of his hands and into their own. At first the Duke of Lancaster was their leader, he who, in the last reign, had intrigued on one side with Lollardism, and on the other side with Alice Perrers and her crew, and whose sinister movements had called the Black Prince from his dying bed to the rescue of the country and his heir. Lancaster seems to have been sickened of patriotism by the insurrection of the serfs. He was,

moreover, diverted from the English field of his ambition by his mad attempts to win the crown of Castile. His brother, Gloucester, took his place as leader of the oligarchical opposition. In the combinations and revolutions which ensue, the motives of the actors are evidently selfish, and treachery is the order of the day. The chancellor and the chief minister during the early part of the reign was Michael De la Pole, who, so far as we can see by the light of imperfect and partial chronicles, may have done his best in a situation full of military disaster, financial difficulty, and popular discontent. But he was not one of the high nobility; his father had been a merchant; he was regarded as a trader, not a gentleman, though he had fought under the Black Prince; and to the grandees his elevation was an offence. His growing wealth gave a handle for suspicion. He was impeached for corruption and deprived. On pretence of reforming abuses, of which, especially in the royal household, there was very likely reason to complain, the king was practically deposed and
1386 government was put into the hands of an oligarchical commission with Gloucester at its head. Richard, chafing under the yoke, organized his party in the country, distributed his White Hart badges, and obtained a judicial opinion against the legality of the commission. His movement was premature and failed. Hereupon the
1388 junto, in the parliament well called "Merciless," impeached the leading friends of the king and judicially murdered such of them as it could get into its hands, thereby stamping its own character and motives.

The oligarchy seemed completely triumphant, but it may have been weakened by internal jealousies and it would almost certainly make itself odious to the nation.

Suddenly, emerging as it were from a cloud, without encountering any resistance, Richard resumed his power. 1389
He used that power with moderation, abstained from reprisals, and for eight years ruled as a constitutional and apparently not unpopular king.

At the end of that time Richard lost his queen, Anne 1394
of Bohemia, whose loss, Froissart says, he greatly felt, since, wedded as boy and girl, they dearly loved each other, and whose affection while she lived may have influenced him for good. As his second wife he took Isabella, daughter of the king of France. The alliance may 1396
have inspired him with French ideas of royalty, and at the same time exposed him to popular suspicion of too much friendliness to France. There was reason to believe that the unquiet ambition of the Duke of Gloucester, the king's uncle, was plotting with the Earls of Arundel and Warwick. Richard suddenly arrested them all, had Arundel condemned to death, Warwick to imprisonment 1397
for life. Gloucester he sent to Calais, where the duke immediately and conveniently expired. The person of Arundel, Archbishop of Canterbury, the earl's brother, was protected by his order; but the pope was so obliging as to send him into exile by translating him to the nomi- 1397
nal see of St. Andrews. The king made the parliament reverse all the acts of its predecessors directed against 1397
his authority and his friends. Not content with this he proceeded, in an access apparently of absolutist frenzy, to overthrow the constitution. He made parliament vote him a revenue for life. He made it delegate its own powers to a committee of eighteen under his control. He made it declare the deposition of Edward II., which the oligarchs had cited to him, null, and repudiate the

deposing power. He made it stretch the treason law so as to embrace anything that could be called compassing the deposition of a king. He made it grant him the wool tax for life. The parliament which thus committed suicide had no doubt been packed by the sheriffs, by whom the county elections were held; a peril inherent in the constitution, when there was no settled authority or strong organ of public opinion to guard the guardians of
1398 the franchise. Parliament sat surrounded by the king's archers, and was carried away to the borders of Cheshire, a wild district and a palatinate royal.

Henceforth Richard reigned as a despot, and from the hatred which he evidently excited, and the unanimous rejoicing at his overthrow, we may safely conclude that by him and the adventurers whom he had called to his councils great excesses were committed and the country was grievously misgoverned. He had still reason to fear combinations among the grandees. To get rid of these he took advantage of a mysterious quarrel between the Duke of Hereford, the son of John of Gaunt, Duke of Lancaster,
1398 and the Duke of Norfolk, by first allowing a trial by battle to be appointed them, and then banishing them both. Strangely enough, in fixing the term of banishment he discriminated in favour of his really formidable enemy, the Duke of Hereford, heir of the Lancaster tradition of opposition to the crown, and one of the five appellant lords who in the Merciless Parliament had brought the friends of the crown to the block. Yet Richard drove the duke to despair by the perfidious confiscation of his heritage. He also embroiled himself with the Percys, whose earldom of Northumberland was a petty kingdom in the north, the last genuine relic of the feudal system, with its

patriarchal prince holding his rude court at Alnwick and Warkworth. Having thus charged the mine under his throne, Richard allowed himself at the critical moment 1399
to be lured to Ireland, and was called back to find that he had lost his crown to the profound and plausible intriguer whose wrath he had defied, and who in his absence had landed in England.

For the second time parliament exercised the depos- 1399
ing power, making another precedent for aftertimes of parliamentary resettlement of the succession, though a nominal satisfaction might be afforded to legitimism by Richard's resignation. The principal charges against him are those of suspending parliament by a committee of his creatures, tampering with the elections through the sheriffs, and putting himself above the control of parliament by giving himself the wool tax for life. He was also charged with abuse of purveyance and with over-riding jury trial by military law. Arbitrary interference with the jurisdiction of the ecclesiastical courts was a count, no doubt, inserted to requite the hierarchy for their share in the revolution. Henry of Lancaster mounted the throne, 1399
as did William the Third after him, by a parliamentary and revolutionary title wrapped up in ambiguous language. All absolutist acts or resolutions and all newfangled treasons were swept away. Whatever coronation pomp and the anointing of the new king with oil miraculously given to St. Thomas Becket in his exile could do to make up for the lacking halo of legitimacy was done. It was not a good omen for religious liberty that Archbishop Arundel, the chief of persecuting high churchmen, led the new king to the vacant throne. Richard was consigned to 1399
prison at Pomfret, and insurrection in his favour having

broken out among the restless magnates of his party, he ceased to live.

That "all the water in the sea could not wash the balm from an anointed king or the breath of worldly men depose the deputy elected by the Lord," was no doubt Richard's sentiment. It appears that something like royalty by divine right was his idea, and that his tendency was absolutist, though we must make allowance for the circumstances of his struggle with a factious and unscrupulous oligarchy which sought to strip the monarchy of its rightful power, not in the interests of the people, but of its own. Whatever his policy was, while he showed fitful force and ability he was utterly lacking in steadiness and self-control. He had evidently at the last set not only the oligarchy but the nation against him. In the early part of his reign, at the time of the insurrection of the serfs, he appears to have sympathized with the people, and he certainly deserves the credit of a policy of peace with France and of much needed attention to the affairs of distracted Ireland.

CHAPTER XII

HENRY IV

BORN 1366; SUCCEEDED 1399; DIED 1413

"UNEASY lies the head that wears a crown." Into no mouth better than into that of Henry IV. could Shakespeare have put those words. Henry was a strong, enduring man, and fearfully were his strength and endurance tried. Often must he have asked himself whether the glittering prize which he had won was worth the price which he had paid for it, and which was terribly high if, as we can hardly doubt, well as Pomfret castle has kept its secret, it was by his order that Richard died. He mounts the throne with a revolutionary title, while legitimacy has a claimant living in the person of the infant Edmund Mortimer, Earl of March, the representative of Lionel, Duke of Clarence, second son of Edward III., whereas John of Gaunt, Henry's father, was the fourth. He was loaded with the impracticable promises of reform and faultless government by which his election had been gained. From Richard's grave rises a spectre lending a phantom chief and the name of royalty to rebellion. Henry has hardly seated himself on the throne when oligarchical conspiracy again raises its hydra heads. 1400
His popularity, still fresh, puts it down, and the conspirators are massacred by the people, a strong, though evil, proof of the national demand for the revolution.

But when his popularity is no longer fresh, the hydra
1403 rises again in more dangerous forms. The Percys, finding that the man whom they had raised to the throne instead of being their creature, as they thought, meant to be king, determined to dethrone him. Special grounds of discontent also they may have had, sufficient to set working the wayward pride of a great lord with his worshippers about him in his castle-palace in the wild north. They ally themselves with the foreign enemies of the realm in Scotland, and with the rebels in Wales. They raise the Cheshire archers, who still cleave to the White Hart. Upon the bloody and perilous day of
1403 Shrewsbury, the fell commencement of a long era of civil, or rather of aristocratic, war, Henry fights, not only for his crown, but for the unity of the realm. On that fatal field, where the bows of Crécy and Poitiers were drawn against English breasts, and the forces of the nation were wasted in intestine strife, a monument ought to stand warning England against faction.

Nor when "Harry Hotspur's spur was cold" was that the end. Scrope, Archbishop of York, the man who had
1405 read Richard's resignation to parliament, gets up another rebellion in the north, of which the manifestoes are worth about as much as the pronunciamento of a rebel aspirant to the presidency of a South American Republic. Scrope and his clerical confederates may have been exasperated by the heavy draughts which the king made on clerical revenues; they may have believed his government to be secretly inclined to the confiscation of church property; or the archbishop, a political and military prelate, may simply have shared the mutinous and intriguing
1405 spirit of the oligarchy. He paid the forfeit of his head.

Since the growth of clerical wealth and the decline of clerical virtue, the criminal immunities of the clergy, a great proprietary, hardly less secular than the rest, had become more than ever unreasonable, and had begun to be less respected. At the beginning of this reign they had, under the plea of pressing danger, been suspended, and priests and friars had been put to death for treason without serious protest. In the last reign archbishops and bishops who mingled in the political fray and whose party was vanquished, while their lay fellow-conspirators lost their heads, had only been stripped of their temporalities and banished under colour of translation by the pope to mock sees in Scotland or Ireland. At the execution of Scrope, a shock, of course, ran through the ecclesiastical frame; equally as a matter of course miracles were performed at his tomb. The king had to make formal satisfaction to Rome. A little money, it seems, had to be used in that quarter. But no moral earthquake ensued. The age of Becket was past. The execution was a strong measure for that day; to call it judicial murder seems too ecclesiastical. Scrope was taken in armed, unprovoked, and criminal rebellion. Whatever might be his avowed aims, there could be no doubt that he and his party, if successful, would have dethroned the king. The trial was merely formal, and as the archbishop was a peer and entitled to trial by his peers, irregular; but there could be no doubt as to the facts. The coat of mail in which the archbishop had been arrested was sent to the pope, with the question, "Is this thy son's coat?" Nor was the moral force of that argument touched by the pope's smart answer, "An evil beast hath devoured him." Was the country

to be devastated and dismembered with impunity by political intriguers styling themselves apostles of the religion of Christ?

Against the last strongholds of anarchic feudalism the king's battering cannon served him well. Artillery was a royal arm, and its ascendancy added, and will henceforth add, to the power of the crown.

At the same time there was smouldering hostility with France, though the danger from that quarter was presently dissipated by French faction. There was chronic
1402 war with the Scotch, who at Homildon gave the English archer another opportunity of showing his ability to encounter cavalry in line, and the superb ascendancy of his arm. The king himself was perpetually being called into the field by an obscure but arduous, and for some years unsuccessful, struggle with Welsh disaffection, which, taking advantage of the civil troubles, raised its head again in the wild mountain districts and found a congenial leader in Owen Glendower, a redoubtable though somewhat bombastic personage, a chief thoroughly Celtic, in whose house "it snowed meat and drink," and about whom were current marvellous prophecies of Merlin. Shakespeare has painted Glendower well. In these campaigns the king shared the dangers and hardships of the common soldier. Europe was torn by the great schism in the papacy and Henry was called upon to labour with the other sovereigns of Christendom for the restoration of peace and unity to the church. His load of work, administrative, legislative, diplomatic, and military, must have been immense, and he seems to have borne it alone; at least we read of no one who shared it with him. Of his original supporters Arch-

bishop Arundel remained at his side and was chancellor during the greater part of his reign; but even on Arundel's loyalty suspicion fell, and his aim was probably rather that of a reactionary prelate needing royal support in the repression of heresy and defence of church wealth than that of a devoted minister of the throne. Henry's boys, two of them at least, were madcaps who gave him trouble with their pranks; and between him and his heir, Prince Henry, there was for some time an estrangement which must have added to his burden of cares, even if the prince did not wish too early to wear the crown. To shake his nerves, assassination as well as conspiracy beset him, and a caltrop, believed to be poisoned, was found in his bed. Nerves perhaps in those days were not so sensitive as they are now, yet it is not wonderful that Henry's health should have broken down in middle age. It may be, too, that remorse gnawed him, and was the secret cause of his desire to expiate the sins of his life by ending it as a crusader in the Holy Land. It seems that this desire was unfeigned and that he even hoarded money for its accomplishment.

Henry of Lancaster, offspring of a popular house and of a popular revolution, was of all the kings in the middle ages the most constitutional, and of the powers of the medieval parliament his reign is the high-water mark. The promise made for him at his accession by Archbishop Arundel of a reversal of the arbitrary ways of Richard was faithfully fulfilled. He studiously courted the Commons. He endured with patience the pedantic homilies of their incomparable Speaker, Sir Arnold Savage. He permitted them to inquire into the mismanagement of his household and with punctilious patriotism to dismiss

the foreign attendants of his queen. He permitted them to inspect and audit his accounts, to share his counsels about peace and war, to appoint special treasurers for the application of the war subsidies, at last even to control the composition of his council. Had their measures taken full practical effect, little would have been left him of royalty but the crown. He probably managed to soften the measure in the execution. The lives of parliaments were short; royalty lived on, and when the session was over might regain its power. The king, in fact, alone could govern, and we can hardly look on the Lancastrian constitution as a settled anticipation of that dependence of the executive on the majority in the legislature which now prevails under the name of cabinet government.

Henry was requited for his compliances by the unswerving allegiance of parliament, amidst all the conspiracies and rebellions. On the other hand, the Commons were liberal of criticism and chary of supplies, underestimating the growing necessities of a government always at war with Scotland or France, or both, contending with Welsh rebellion, maintaining an expensive post at Calais, and performing the guardianship of the seas. The Commons lacked information; they, like all ruling assemblies, lacked personal responsibility, which rested on the king alone. The notion still prevailed that the king was to live "of his own." His "own" comprised the estates of the crown, much dilapidated by grants; the revenue of the duchy of Cornwall and the earldom of Chester; the old feudal perquisites, reliefs, aids, forfeitures, escheats, custody of feudal estates during minority, hands of heirs and heiresses for sale; fines

and fees of various kinds: the whole roughly reckoned at about twenty-three thousand pounds. To this are to be added the customs allowed the king as guardian of the sea, and amounting to about forty-two thousand pounds. Manifestly if the king could live on this, his government, with all the claims upon it, could not. But for anything beyond it was necessary to go to the Commons for subsidies with the plea of extraordinary need, of the validity of which the Commons were ill qualified to judge. Henry had to contend with the belief that he had inherited a great treasure from his predecessor. In dealing with Welsh rebellion and danger from abroad, the arm of his government was always shortened by want of money. It was apparently to ease himself of the pressure of parliamentary opposition that the king sometimes called great councils of peers and notables by letters under the privy seal. The great council survived, though superseded in supremacy by parliament, and the kings, when parliament was fractious, were inclined to turn to it, as, long after this, did Charles I. But the elective principle was by this time too strong for circumvention.

A more equivocal ally than the knights of the shire Henry found in the church, which was ready to accept his aid against the heresies of Wycliffe and the Lollards, still more against the attacks on ecclesiastical wealth, seriously menaced not from the quarter of the Lollards alone. Startling to the catholic ear and subversive of the sacerdotal system as Wycliffe's doctrines had been, the bishops did not at first show much inclination to persecute. They were most of them men of the world, probably little interested in theological questions and little

zealous for the faith; they were made timid by the growing unpopularity of their order and the multiplying signs of a disposition to relieve it of its riches. They allowed Wycliffe to end his days a rector and in peace. Nor did the Lollards much court martyrdom; the number of those who recanted or were won over exceeded the number of those who suffered. Doctrinal Lollardism there still was, even in the household of the king, who had to apologize for the impiety of some of his gentlemen in turning their backs on the procession of the Host. But social and economical Lollardism, which denounced the unspiritual opulence of the ministers of Christ and proposed to relieve the taxpayer by the confiscation of ecclesiastical estates, found more numerous disciples and was more formidable to the clergy. As the creed of Wycliffe's poor priests with their obscure conventicles, Lollardism might be disregarded by the hierarchy; as the stalking-horse of a party of confiscation it could not. Henry's father had coquetted with it for a political purpose, and such was the natural line of what would now be called a great Whig house. But Henry needed the support of the hierarchy against the oligarchy, and Archbishop Arundel, the leader of the party of intolerance, chief minister during the greater part of the reign, was allowed to have his way except when he protested against the execution of Archbishop Scrope. Heresy, it may be said, had always been treason against a state identified with the church. We have seen that in the reign of Henry II. some German heretics, though not put to death, were scourged, branded, and turned out to die. But a formal statute for
1401 the burning of heretics was now passed, at the instance of the clergy in convocation, with the concurrence of the

Commons, the majority of whom were probably as ready to purge themselves of heresy as they were to strip the church of her wealth. The first to suffer was Sawtre, who was thus the protomartyr of protestantism in England; 1401
the second was Badby, a mechanic, who maintained that 1410
the Host was not the body of Christ but a lifeless thing, less worthy of reverence than anything, toad or spider, that had life. Ecclesiastical hypocrisy observed the usual form. The church did not burn the heretic; she gave him to the state to be burned. Lollardism, being persecuted, naturally became disloyal and broke out into insurrection at the beginning of the next reign.

One of the mysteries of the period is the conduct of the friars, who in spite of the king's alliance with the church and the statute *De Hæretico Comburendo* were the busy sowers of conspiracy and rebellion. It may have been that they scented danger to the possessions of their order; it may have been simply that their wandering habits and their access to families made them available as instruments of agitation. In the natural course of things when ascetic enthusiasm is extinct and mere idleness succeeds, the angelic brotherhood of St. Francis of Assisi degenerated into strolling knavery.

Historians have been puzzled by what appears to them the mixture of good and evil in the character and government of Henry IV. One eminent historian doubted whether he should call Henry the best or the worst of kings. The answer to the riddle partly lies in the lowering of the moral standard in England and throughout Christendom. Unscrupulousness in winning power and in keeping it, even to the extent of political murder, was compatible with the general desire, as well as with the

ability, to use it well. This, in fact, was Machiavellism, with which the time, since the decay of the catholic morality, was big. Of needless cruelty Henry cannot be accused; rather he may be praised for clemency, considering the perfidy and treachery which surrounded him. In his conflict with oligarchical faction he certainly represented order, national unity, and civilization. That his life was one of the most arduous and anxious labour in the public service, that his health was sacrificed to war and business, that on the terrible day of Shrewsbury and on every field of action he was in the forefront of danger, cannot be denied. His policy bequeathed to his son a secure throne and the power of carrying his people with him into a war of ambition disastrous at once to the dynasty and to the nation.

CHAPTER XIII

HENRY V

BORN 1388; SUCCEEDED 1413; DIED 1422

THE son was a hero. By his integrity, his magnanimity, his piety, as well as his prowess in war, Henry V. deserves that name. There is a severe beauty in his character as well as in his face. His French enemies, while they found him stern, found him upright, and after the murderous brigandage in the name of war to which they had been accustomed, they were agreeably surprised by his comparative humanity and the discipline of his camp; positively humane he cannot be called, since he passed the word at Agincourt to kill prisoners, and in his later days hanged men to strike terror. It is not unlikely that he had higher aims than those of a mere conqueror, and that, had he lived to rule France, he would have put an end to her distractions, and, as far as was possible for a foreigner, ruled her well. To Normandy, when conquered, he showed a disposition to grant a measure of English freedom. Henry V. is a hero, yet, in the sequel, the meanest king that ever sat upon the throne did not so much mischief to the country, or brought upon it so much shame.

Henry began his reign auspiciously. He frankly accepted the popular principles of his house, at once assenting to the declaration that the explicit consent

of parliament was necessary to all laws, which forms a landmark in political history. Apparently he embraced with mind and heart the vital principle of constitutional monarchy, thorough identification of the king with the people. He also entered at once on a policy of reconciliation, admitting to his grace his father's enemies and trying to wipe out the traces of the feud. In this he had the advantage over his father of an established title, and of never having been known as an equal by those over whom he reigned. He was rewarded by the loyalty of Hotspur's son to the house of Lancaster. But it shows how rife was the spirit of intrigue and mutiny among his nobles, that when he was on the point of leading the national army to France he should have discovered a conspiracy in favour of the Earl of March, the heir of the legitimist title to the throne, in which Scrope, a man in whom he had reposed especial confidence, bore a part. The dangerous side of his character as a civil ruler was his piety, which in those days was incompatible with tolerance. He was not, nor could he ever have been, a cruel persecutor, or the patron of an Inquisition. Apparently he was sincerely desirous of saving the bodies of the heretics as well as their souls, and he personally did his best to convert them. But he was orthodox and devout, which a catholic king could not be without treating heresy as a crime. He founded monasteries late in the monastic day. He allied himself closely with the clergy and renewed the persecuting laws against the
1414 Lollards. The result was a Lollard insurrection, headed by Sir John Oldcastle, a man of rank and fortune, who had sincerely embraced what may with truth be called protestantism, since it was, or aimed at being, the pure

religion of the Gospel. The insurrection was weak; in fact, barely came to a head. It was quelled with ease and with the usual consequences of unsuccessful rebellion to the side which had rebelled. Oldcastle was put to death 1417
as a heretic and a traitor.

Two years before the execution of Oldcastle, John Huss had been burned at Constance, whither the repre- 1415
sentatives of distracted Christendom had been convened to put an end to scandalous schism, reform the church in its head and its members, and redeem the chair of St. Peter from the monstrous vices of the pope.

The defeat and depression of Lollardism, however, did not end the danger to the church, whose inordinate possessions, apart from any question of doctrine, excited the jealousy and cupidity of a party in the country and in parliament, while her vexatious jurisdiction, her exaction of fees, and the extortion into which her penitential system had been turned, were always making her enemies, especially among the quick-witted and money-loving population of the cities. The tradition is therefore not improbable that Archbishop Chichele and the clergy encouraged the king in warlike enterprise to divert his mind and that of the nation from spoliation of their order. The speech ascribed by Shakespeare to Chichele is unauthentic; but Chichele founded a chantry under the form of a college at Oxford to pray for the souls of those who had fallen in the French wars; and the king on his death-bed cited the sanction of his spiritual advisers as his justification before God for the blood which he had shed. It appears that the chiefs of the clergy heartily supported him in the war. He was not set on by the representatives of the nation, whose

response to his appeal at first was guarded, though they were afterwards carried away by his victories.

The claim of Henry to the crown of France was more baseless even than that of Edward, since it was not by a legitimate but by a revolutionary title that he held the crown of England. His only real title was the invitation of a party in France, then distracted, as England had been and was again to be, by the rivalry of princes of the blood while the king was imbecile. The conduct of France had been unfriendly; she had fomented and aided Scotch hostility and Welsh rebellion; but unfriendly also was the occupation of Calais by England, to say nothing of her barring, by the retention of a remnant of Aquitaine with Bordeaux and Bayonne, the unification of France. The union of the two crowns upon the same head was impracticable, and if it had been practicable would have been fatal. No legislative securities for the independence of England would have availed to annul the influence which would have been exercised upon her government by linking her with France, and by the immensely enhanced power of the monarch. In Henry's defence it is said that war was then regarded as the noblest work of kings, and that he sincerely believed in the justice of his claim. The justice of his claim, if it satisfied the jurist, could not satisfy the statesman. If he burned for martial enterprise, the chronic enmity of Scotland, whose border knew no peace, would presently have furnished him with a warrant for a war, the object of which would at all events have been more rational. In invading France, he not only left a hostile Scotland in his own island, but gave her France to foment and support her

quarrel. Ireland also, the commercial importance of which, especially as a source of supply for the English colonies and garrisons in Wales, had begun to be seen, was a field which on higher than commercial grounds urgently invited both the arms and the policy of a soldier king.

Henry's mad enterprise would have ended with the taking of Harfleur, after the loss of a great part of the 1415
English army in the siege, had it not been for another exhibition of the insensate pride of the French chivalry. Agincourt, like Crécy, was a soldiers' battle. The mis- 1415
takes of the general had again brought the army into a desperate situation, out of which, helped by the blunder of the enemy, it fought its way. But there was nothing at Crécy so full of interest as the morning of Agincourt, when the little army, thinned and weakened by disease, dejected yet not despondent, formed round its gallant king to encounter the overwhelming host which barred its march. Again the free yeomanry who drew the bow, and the comradeship of the king with the soldier, which Shakespeare has vividly painted, showed the importance of the political element in war power. Again the bow prevailed. The line also prevailed over the column. It was a proof of the continuing decline of the mailed cavalry and of military aristocracy that at Agincourt not only the English but the French man-at-arms dismounted and fought on foot. War is still growing professional and scientific. Gunpowder makes its way. Battering artillery becomes effective and hand guns are introduced. All this is against aristocracy. To Henry, as he not only pressed but built ships, is given the credit of having founded the royal navy; an

institution henceforth continuous, though its mighty importance, military and political, belongs to later times.

It was not wonderful that the king, who had commanded and borne himself nobly at Agincourt, declaring that England should never pay a penny for his ransom, should become the object of a disastrous enthusiasm, or
1415 that when he landed in England after victory the barons of the Cinque Ports should have carried him through the breakers in their arms.

That maddest of political murders, the assassination
1419 of the Duke of Burgundy at Montereau, by throwing the Burgundians into the hands of England, laid France at the king's feet, and enabled him in the treaty of Troyes, with the hand of a French princess, to extort the reversion of the French crown. But his campaigns had broken his health, and he lived not like Edward III. to the reckoning day.

CHAPTER XIV

THE WARS OF THE ROSES

HENRY VI, EDWARD IV, AND EDWARD V

HENRY VI.: BORN 1421; SUCCEEDED 1422; DEPOSED 1461
EDWARD IV.: BORN 1442; SUCCEEDED 1461; DIED 1483
EDWARD V.: BORN 1470; PROCLAIMED KING 1483; SUPPLANTED 1483

THE conquering hero gone, the conquest inevitably slipped away. The Duke of Bedford, a less brilliant Henry, with the redoubtable archers, for a time arrested fate and gained fruitless victories at Crevant and Verneuil. But the tide soon turned and set steadily against English domination. The English, masters of the country only when they could hold it by the sword, had to disperse their force, always small, over a number of garrisons. The French learned from dire experience instead of fighting battles to make it a war of posts. They found in Dunois a second Du Guesclin, a leader who was a genuine soldier, not a Quixote, and led not for glory but for practical success. The spirit of the suffering people of France found its embodiment in Joan of Arc, whose execution left a dark stain upon the English escutcheon, though her trial took place at the instance of the University of Paris, and almost all concerned in it were Frenchmen of the Burgundian party, while the belief in sorcery was the superstition of the age, and Joan owed to it her victories as well as her cruel death. The internal feud which had opened the gate to the

1423, 1424

invader was healed by the evils and humiliations of his presence. The Duke of Burgundy deserted in course of time the unnatural alliance into which only a personal quarrel had led him. Province after province was reconquered or went back to its natural allegiance. At last nothing was left but the farcical title of king of France, retained for two centuries by the kings of England, and Calais, the possession of which always served to keep up yearnings for conquest, and to misdirect the policy of the island monarchy. The free navigation of the Channel, which Calais imperfectly secured, would have been more perfectly secured by peace. Gascony, the last relic of the continental domains of the house of Anjou, went with the rest, against the desire of its people, who clung to the English connection as the safeguard of their provincial independence. Thus the end of English attacks on the French monarchy was its complete unification as well as its lasting enmity to the assailant. The standing army of France, the destined support of a military despotism, was another fruit of these wars.

But the heaviest price of this magnificent escapade remained to be paid in its effect on national character and domestic politics. Again great fortunes had been swept by lucky adventurers from the gambling-table of the French war. Caister Castle, the mansion of Sir John Fastolf, is one of their monuments. Again the spirit of restless adventure, of violence, of plunder, had been awakened. It was strong in a nobility which, in fact, not being lettered or provided with refined pleasures, had in peace little to occupy its castle leisure but cabal. But society at large, as the Paston letters show, was pervaded by the same angry influence. It was full

of strife, chicane, fraudulent and oppressive litigation, violence sometimes abusing, sometimes breaking through, the forms of law. Ejectment at Caister is carried out with an armed force and the disputed mansion stands 1469
a regular siege. Abduction, among other disorders, is rife. By the great nobles, with their immense estates and the hosts of retainers whom they protected in license, feudal anarchy was almost renewed.

Of the weakness of the hereditary system there could be no more striking picture than the crowning of the child Henry VI. at London and Paris to reign over the 1429,
two kingdoms, of one of which half remained to be con- 1431
quered, with England maddened by the war-fever, a debatable title to the crown, a mutinous nobility, and a parliament though loyal hard to manage. The moral was scarcely more pointed when, after a long minority, fol-
lowed by a period of political tutelage, Henry became 1453
utterly imbecile. It has been conjectured that the earl, who was his tutor, did his work too well, and educated the feeble boy out of his wits. In those days they had little idea of differences of capacity; they thought that the rod, well applied, would bring all up to the same mark. But Henry inherited madness from his grandfather, Charles VI. of France. Amidst the storm of dark and murderous faction we sometimes catch glimpses, like glimpses of the moon amidst cloud-rack, of the character of the king, gentle and pious, taking the side of peace and mercy. Let alone, he would have been a weak St. Louis. The nation evidently loved him, though it could not fear and did not obey him. After his murder he was regarded as a saint. Nor is he without a monument. At Eton and at King's College he still wears his crown.

While Bedford lived, though his energies were wasted in the war, he was able by his influence to keep the council, into whose hands the government fell, for the most part in the right path. He alone could control the selfish and foolish ambition of his brother Humphrey, Duke of Gloucester, who, without capacity to rule, was trying to make himself master of the government. Gloucester had claimed the regency by right of birth, but the council resisted the claim, forming by its decision a precedent for after times; and he was compelled to content himself with the title of Protector, and with a power limited by the authority of the council. After Bedford's death the ship began to sink. Beaufort, sublimely slandered by Shakespeare, seems to have been a statesman, and though a cardinal, as well as self-seeking and ambitious, to have been a faithful counsellor of the crown, to the interest of which he was by kinship bound. His support made the peace policy, to which his wisdom inclined and which alone could save the government, respectable in the eyes of the people. He, too, passed off the scene. The king was now of age to reign, but incapable of governing. The government was in the hands of the queen, Margaret of Anjou, and De la Pole, Duke of Suffolk. Margaret, the bride of surrender, dowered only with the loss of Maine, came foredoomed at once to partisanship and to popular hatred. She was very young and inexperienced. Whatever notions of government she had were not English. Her temper was violent. She was disposed to favouritism, and her letters indicate that she was given to jobbery and to interference with the course of justice. De la Pole, her chief minister, not being of blue blood, though his family had a

noble record of public service, was regarded with jealousy by the grandees, while his policy of peace and his surrender of Maine drew on him the hatred of the nation, whose pride was not, like its force, exhausted by the struggle. He was apparently odious as a favourite. It does not seem that there was much more to be laid to his charge. Gloucester led the party, large in the nation, especially among the seamen, which was still ignorantly and madly bent on war; and his popularity made him formidable to the court. His sudden and most opportune death under arrest in the hands of Margaret and 1447
Suffolk, though it parried the immediate danger, did not save their government. Suffolk fell before the storm of political hatred. In attempting to fly the kingdom he was murdered, and the circumstances of his murder, 1450
which was open and unavenged, and in which the crew of a royal ship took part, showed that it was not a mere assassination, but the symptom of a general disaffection. The murder of Bishop Moleyn by mutinous sailors, who 1450
accused him of having sold Normandy to the French, was another bloody sign of the times. Suffolk's place at Margaret's side was taken by the Duke of Somerset, representing the aspirations of the Beauforts, the bastard children of John of Gaunt by Catherine Swinford, legiti- 1397
mized by Richard II., but in the act of confirmation by 1407
Henry IV. excluded from the succession to the crown. By this time the government was foundering. The finances were in a desperate condition. The judges had been for some time without salaries, and must have paid themselves by corruption. The court itself was compelled to subsist by predatory exaction under the name of purveyance. The king's feeble intellect totally gave

way, and the crash, the penalty of his father's insane policy of conquest, came.

1450 The commons rose in Kent under a local leader, Jack Cade. This rebellion was not, like the revolt of the serfs, economical and social, but political. The lesser gentry and yeomen at first joined it. Its manifesto demanded redress of the abuses of government, the list of which the framers, had they spoken the exact truth, would have summed up in weakness. The government was for a time overthrown, and once more murder, rapine, and havoc reigned. But the forces of order in the community rallied, the insurrection was crushed, and
1450 its leader paid the forfeit of his head.

As the cloud of rebellion clears away, Richard, Duke of York, the legitimist claimant, in virtue of his descent by a female line from Lionel, Duke of Clarence, the elder brother of the Duke of Lancaster, steps upon the scene and challenges the ascendancy of Somerset. He had assumed the significant name of Plantagenet, and the rising of Jack Cade seems to have been in his interest, if not countenanced by him. Presently he takes up
1455 arms, and in the battle of St. Albans, where Somerset falls, opens thirty years of intermittent civil war. It is most likely that the cautious and moderate ambition of York would have been satisfied with a compromise, giving Henry the crown for life and the succession to York and his heirs. In this case, as in the case of James II.,
1453 the turning-point was the birth of an heir which shut out York, as it shut out William's wife from the prospect of succession, while the lateness of the birth in both cases alike, and in the present case the state of the king's health, gave occasion for party cries of fraud. Mar-

garet, too, had now a son for whose claim to fight, and she fought like a she-wolf over her cub. If after the first clash of arms there was any hope of peace, it was extinguished by her sweeping attainder of her enemies 1459
in the parliament at Coventry. Hatred, deep enough before, was deepened by the cruelty of her partisans after the battle of Wakefield. Fortune sent her no able coun- 1460
sellor or commander. The death of York, which seemed 1460
her gain, was her loss, since into his place stepped his son Edward, with a brilliant and precocious genius for war. She fatally injured her cause by stretching out her hand in her desperate need to the foreign enemies of the kingdom, by bartering away Berwick, by bringing down on southern England a horde of northern marauders. After the second battle of St. Albans she, or those about 1461
her, lacked nerve to move on London, and their victorious army was led aimlessly back to the north to be crushed by the military genius of Edward at Towton. 1461
That black Palm Sunday of fratricidal slaughter decided the issue of the civil war. The country received, London perhaps welcomed, the conqueror as king. London saw the tiger's beauty, felt his winning manner, and it seems had staked money on his success.

Young Edward's love-match with a Lancastrian widow 1463
caused the scale once more to turn, disconcerted the policy or
of the head of his party, the all-powerful Warwick, and, 1464
by bringing the queen's relatives to the front, threw that prince of schemers into the background. Warwick unmade the king whom he had made, and for one 1470
more hour Henry, broken and imbecile, became the sport of destiny and wore the mockery of a crown. But Edward soon recovered the throne. He recovered it, not

through any national movement in his favour, but by his
1471 own vigorous action, and by the victory which at Barnet
his generalship gained over Warwick, a politician profound in the cabinet but weak in war. From Barnet he
1471 rushed upon Margaret's last army at Tewkesbury, smote
it to pieces, and laid, as he might think, for ever by the
butchery of the helpless young prince his namesake, the
spectre of the Lancastrian claim. Henry was murdered
1471 in the Tower. To his tomb at Chertsey pilgrims
thronged and miracles were believed to be wrought there.
It is not unlikely that his saintly character, contrasted
with the blood-thirsty ferocity of the princes of the house
of York, kept its hold on the hearts of the people and
helped in the ultimate triumph of his house.

The period of the Wars of the Roses is almost a blank in political history. No principle was involved in the struggle. It is true that the title of Lancaster was parliamentary, while that of York was legitimist, and that the parliamentary dynasty would be naturally constitutional, while the legitimist would be naturally despotic. But there was nothing to show that this was the issue or in fact that either character had been retained. The charge of absolutism was brought by the Yorkists against the queen and her camarilla. The line of Lancaster had been legitimized in the eyes of the people by two reigns and Agincourt. Even after York's victory at Northampton he found the parliament rooted in its allegiance to the heir of Henry V. and had to content himself with a compromise, leaving Henry the crown for life. Men took the field at the bidding of their own lords, and the map of party coincided with that of local influence and connection. In the north the house of Lancaster had always

been strong, border warfare had retarded civilization, and the spirit of feudalism lingered. London appears to have been Yorkist, but it quietly accepted both kings. If the Cinque Ports were Yorkist, it was probably from hatred of France and of a peace policy. At Towton the banners of the chief cities appeared on the Yorkist side. But this was when queen Margaret had leagued herself with the Scotch and brought down a plundering northern army upon southern England. The war can hardly even be called dynastic. Loyalty was not the motive or the watchword. It was a war of aristocratic factions which presently became a set of blood feuds, Clifford slaying Rutland because Rutland's father had slain the father of Clifford, while the blood of Rutland is avenged by murders on the other side. In the north it was a conflict between the great houses of Percy and Neville, which had before its outbreak been in arms against each other; in the west it was a conflict between the houses of Bonville and Devon. When Devon who has been Yorkist turns Lancastrian, Bonville who has been Lancastrian turns Yorkist. The group of magnates which had risen out of the grave of the feudal nobility killed by the great Plantagenets, was here divided against itself in a struggle of its houses for supreme power, and it ended in self-destruction. Livery and badges as means of factious organization play no small part in the frivolous politics of the time. The chief of the group was Warwick, whose estates, spread over the kingdom, exceeded the domain of the crown; whose badge, the bear and ragged staff, was borne by a host of retainers; who, when he came to London, kept such a house that six oxen were eaten at a breakfast, while all comers were bribed

with largesses of food. Warwick was the head of a strong family connection. The last of the barons he has been called; but he has been more truly described as a colossal land-owner and an arch-politician with a private army and a private park of artillery. The aristocratic factions, or connections as they were styled, of the Hanoverian era fought for power and pelf with political weapons, and the vanquished lost their places. The aristocratic factions of the fifteenth century fought for power with their swords, and the vanquished lost their heads. The factions grouped themselves under the rival Houses and Roses; but all were playing their own game, all were fighting for spoils, and, as the fray went on, for vengeance, which glutted itself not only in the butchery of prisoners, but in insults to the dead. This is a moral interregnum; it is an age of unscrupulous ambition, conspiracy, and treachery, the age of the Borgias and Machiavel. In some of the actors of the Wars of the Roses is seen the union of crime with culture which marks the Italian Renaissance. Tiptoft, Earl of Worcester, surnamed the Butcher, who impales the corpses of his victims, has studied at Italian universities, is a literary man, and a patron of letters. Edward IV. is also a patron of letters, while he is almost as cruel as an Italian tyrant. In lowly places Lollardism still kept a conscience and from time to time produced a martyr.

The people at large seem not to have cared for either side. The seamen, who displayed some partisanship, probably thought themselves betrayed to France by Henry's government. The retainers mechanically followed their lords to the field, but the people stood at gaze like a herd of deer while the stags are

fighting for the mastery. What the sensible part, and, above all, the commercial part of the nation wanted, was a strong government. General feeling at the outset probably was on Henry's side. But the Lancastrians had no leader; the Yorkists had a leader of at least tolerable capacity in York and had a first-rate general in his son. The outrages committed by Margaret's savage northern army are likely to have determined the cities which at Towton fought on the Yorkist side.

The life of the period, rough as it was, seems not to have been much disturbed by war. Even the judges of assize appear to have gone their circuits, though they probably had special need of the sheriff's guard. Colleges were being founded. Magdalen College, Oxford, rose in its beauty amid the storm. A town, such as St. Albans, in or close to which a battle took place, felt the fury of the victor, and towns were sacked by Margaret's northern hordes; but there was no general sacking or havoc. Each faction slew men of rank, of whom many were taken prisoners fighting on foot and impeded by their heavy armour. The common people seem to have been spared. The armies were not kept on foot and quartered on the country, like the brigand hosts of Tilly and Wallenstein; they were called out for the battle and sent home when it was over. Nor do they seem to have been large. Medieval numbers are always untrustworthy, and sometimes monstrous exaggerations. At Towton, the greatest as well as the fiercest and bloodiest of these battles, one authority finds that the probable position of the Lancastrians would hold about five thousand men. There were many breaks in the thirty years during which the Wars of the Roses lasted.

The natural result of a military revolution was the prostration of law and liberty before the victor. A despot Edward IV. was not. He put to death with certain judicial forms any one who even by light words aroused his suspicions. He put to death on suspicion his
1478 own brother Clarence; though the story of drowning in a butt of malmsey is at least so far true that Edward did not venture on a public execution. He broke the law against arbitrary taxation by extorting what were ironi-
1473 cally called benevolences. But he did not dare to change the law or to raise a general tax without consent of parliament. He gratified his lust by seduction, not by force. A despot he might have made himself had not the energy which by decisive strokes of war had won so many fields sunk when war was over into the torpor of the debauchee. Royalty now dons full state. Ceremonious etiquette is fully born. A Nuremberger, in the suite of a Bohemian nobleman, was allowed the privilege of seeing the queen dine. She sat on a golden stool alone at her table, her mother and the king's sisters standing far below her. When she spoke to either of them they knelt down and remained kneeling till she drank water. All her ladies, and even her lords in waiting, had to kneel during the whole of her dinner, which lasted three hours. After dinner there was dancing, but the queen remained seated with her mother kneeling before her. This out-does the court of Louis XIV.

1483 The boy Edward V. was proclaimed only to die and make way for the daring usurper, whose brief reign forms the last and not the least tragic scene of the long and bloody drama of the Wars of the Roses.

RICHARD III

BORN 1450; SUCCEEDED 1483; DIED 1485

The historical school which prefers the scientific to the moral treatment of character has a good subject in Richard III. Rehabilitation of him is not only a paradox but a platitude. Charges may have been heaped upon his memory by his victorious foes. His deformity was exaggerated; so may have been his crimes. Born in a depraved era, he had been bred amid treachery and murder. His boyish eyes had feasted on civil bloodshed. At Tewkesbury, where he commanded a division at nineteen, if he did not stab Prince Edward, he must have borne a part in the butchery of a number of prisoners, taken, as Lancastrians averred, after promise of pardon, in a church. He was in the Tower, and we may be sure in command, when Henry VI. was murdered. It is a moot point whether his brother Clarence, standing in his path, was helped by his intrigue to a better world. No one doubts that he slaughtered Hastings, Rivers, Grey, and Vaughan. He wanted them out of his way and removed them without remorse. We may acquit him of murdering his wife; but it seems he wished her dead, and desired as a stroke of policy to marry his niece in her room. Evidently he was a man of intellect. His features, if his portrait can be trusted, were refined and pensive. He was at the same time full of energy, and flattery could tell him that never had nature enclosed so great a spirit in so small a frame. Nor is it at all unlikely that, after winning his power by crimes, and cementing it by an unnatural murder, he would have used it well. The tendency of his legislation appears

to have been liberal. He condemned benevolences, though he was fain to resort to them. By a statute freely admitting books he marked the age and did credit to himself. The weakness of his title would have compelled him to make friends of the people. He had tried to tune public opinion through the pulpit, the feeble precursor of the press. His usurpation, though effected by villainy and masked by pretexts transparently false, including one which traduced the character of his own mother, does not seem to have greatly shocked opinion. The nation, with its moral sensibilities blunted as they must have been by the long carnival of crime and blood, might well prefer the rule of a very able though unprincipled man to another minority with an irresponsible camarilla. Richard appears to have been well received on progress through the country, especially at York and in the north. Bishop Wayneflete, the pious founder of Magdalen College, came to entertain him there, and had exercises performed before him in the College Hall. Another bishop, with substantial reasons it is true, hails him as the paragon of kings. Without the murder of the princes it would not be easy to understand the storm which overturned his throne. We might suppose that it was merely the last blast of the elements which had been raging so long. An hereditary claim no stronger than that of his rival would hardly have fired a heart or strung a bow. But Grafton may well be right in saying that the murder of Richard's nephews, generally known or suspected, turned national feeling against the murderer. The commons were probably not so lost to humanity as the aristocratic factions. To witnessing the slaughter of any number of political

enemies they were accustomed. This they would have taken as a matter of course. But the murder of two royal boys by the uncle who had them in his trust was an outrage on human nature which appealed to every heart. Some have thought that Richard was a man more of impulse than of foresight. His foresight certainly failed him when he rushed into this crime. His guilt can hardly be doubted. In whose keeping were the boys when they disappeared? Who had an interest in their removal? What became of them? Why, when the storm of public indignation arose and might have been allayed by producing them, were they not produced? Whose were the two skeletons, corresponding to the ages of the boys, which in the reign of Charles II. were found in a place 1674
indicated by the confession of the reputed murderers? The story of Perkin Warbeck admits the murder of the elder brother, pretending only that the younger escaped.

In the insurrection of Buckingham, which had appar- 1483
ently no cause but the magnate's pique, and in the crafty wavering of Stanley on the field of Bosworth, is 1485
displayed once more the spirit of aristocratic faction, while the furies of the dynastic and family war were seen to concentrate themselves in the demoniacal fierceness with which Richard was seeking his adversary's life when he lost his own.

Through all this parliament had lived. It had been packed, of course, by the victors of the hour, sometimes shamelessly, and used as the instrument of party policy, of party murders and confiscations in the guise of Acts of Attainder, of party settlements and resettlements of the crown. Still it had lived and held its place in the constitution. Neither party had dared to legislate

or attaint without it. It had even shown a spark of independence when York after his first successes laid his hand upon the throne. Free election to it had been a popular demand put forward in the manifesto of the
1430 insurgents under Cade. By an Act of Henry VI. the qualification for the electors of the knights of the shire had been regulated and fixed at the forty-shilling freehold, at which it was kept by English conservatism down to the reform of 1832. All the powers which parliament now possesses, and in some respects more than it legally and theoretically now possesses, it had acquired, chiefly by taking advantage of the king's financial necessities; legislation, taxation, appropriation of supplies, auditing of accounts, inquiry into expenditure, impeachment of ministers, together with the necessary privilege of freedom of members from arrest. It had besides been formally taken into counsel by the crown on questions of war and peace, which at present are beyond its formal competence, and it had interfered directly with the composition of the royal council, over which it has at present only an indirect control. It had disposed of the regency. It had settled the succession to the crown. The Commons had established, as against the Lords, their right to the sole origination of money grants, with the power attendant on that right. England was a commonwealth, and a commonwealth in form and principle it remained, though, through the temporary failure of the forces by which parliament had been created and sustained, a period of practical autocracy was at hand. Fortescue, Chief Justice of the King's Bench under Henry VI., and governor of the Prince of Wales, could say, "A king of England cannot at his

pleasure make any alterations in the laws of the land, for the nature of his government is not only regal but political. Had it been merely regal, he would have a power to make what innovations and alterations he pleased in the laws of the kingdom, impose tallages and other hardships upon the people whether they would or no, without their consent, which sort of government the civil laws point out when they declare *quod principi placuit, legis habet vigorem.* But it is much otherwise with a king whose government is political, because he can neither make any alteration nor change in the laws of the realm without the consent of the subjects, nor burden them against their wills with strange impositions; so that a people governed by such laws as are made by their own consent and approbation enjoy their properties securely and without the hazard of being deprived of them either by the king or any other. The same things may be effected under an absolute prince, provided he do not degenerate into the tyrant. Of such a prince Aristotle, in the third of his Politics, says, 'It is better for a city to be governed by a good man than by bad laws.' But because it does not always happen that the person presiding over a people is so qualified, St. Thomas, in the book which he writ to the king of Cyprus, *De Regimine Principum*, wishes that a kingdom could be so instituted as that the king might not be at liberty to tyrannize over his people, which only comes to pass in the present case; that is, when the sovereign power is restrained by political laws. Rejoice, therefore, my good Prince, that such is the law of the kingdom which you are to inherit, because it will afford, both to yourself and subjects, the greatest security and satisfaction."

That the House of Commons, however, was far from democratic, is shown by the enactment of reiterated statutes of Labourers, to keep down wages, and Vagrant Acts, to bind the labourer to the manor. The forty-shilling freehold was a qualification which, allowing for the difference in the value of money, would be high at the present day. Of the borough elections most would be in the hands of municipal oligarchies. Besides, there were the irregular influences of the crown through its sheriffs and of local magnates. Annual parliaments, which had been ordained under Edward II., and payment of members, were different things in those days from what they would be now. So was membership of the House of Commons. We hear of members elected but refusing to serve, absconding, and pursued with hue and cry. It was necessary to pay representatives for their services in those days, whereas in the present day they are glad to pay dearly for being allowed to serve. There were sometimes considerable intervals between sessions, with no political press to fill the gap. Nor were the members trained parliamentary hands, though they would be trained in some measure for public life by local legislation and the administration of local justice. Government was still in the crown, and in the crown there was need that it should be when the representatives of the nation were so uninformed and so little capable of taking the helm. Political landmarks were not fixed, nor were principles defined as they are at the present day. Much was still in a state of flux and varied with the shifting forces of the hour.

CHAPTER XV

HENRY VII

BORN 1456; SUCCEEDED 1485; DIED 1509

WE have now fairly come to the end of the catholic middle age. Its starlight yields to the flush of dawn. Classical literature and art, revived in Italy, have been substituting the Greek and Roman for the ecclesiastical ideal. Asceticism, treating the body as the prison of the soul, and seeking by mortification to subdue it, is being supplanted by the sense of beauty, apt to slide into sensuality. The architecture of the Gothic cathedral is giving place to that of the Parthenon and the Pantheon. Painting, even when ostensibly religious, is becoming really human. From sculptured forms of macerated saints adoration is turning to the beauty of heathen gods. If in England medieval art still lingers, it will not linger long. Colleges are founded, but monasteries no longer. In place of the School philosophy the humanities reign. Aquinas, Duns Scotus, and the Master of the Sentences give up their thrones to Plato and Cicero. Instead of the monkish Latin of the middle ages, classical Latin is the language of the learned. Education becomes classical. At the same time the vernacular languages are cultivated and national literatures grow. Above all, printing is born. Caxton has introduced it into England. 1476

Between the morality of catholicism and the protestant

morality which is to succeed it, there is, especially in courts and among the governing classes, an interregnum, which gives birth to the papacy of Alexander VI., and the statecraft of Machiavelli. Our generation may look upon such a period with interest, since it is itself threatened with an interregnum between Christian morality and the morality of science.

Feudalism, in the most advanced countries, has breathed its last. In England it has fallen upon its own sword. True chivalry, the chivalry of the crusades, has long been dead. In its later travesty, the chivalry of the fantastic orders, little life is left. The castle, its walls not being proof against the cannon, is replaced by the battlemented and moated mansion, which again will soon be replaced by the mansion unbattlemented and with the pleasure-ground in place of the moat. The military revolution holds its course. Artillery sweeps the field of battle. Firearms prevail over the bows of Crécy and Agincourt. War has thoroughly become a trade and a science, with captains of mercenaries, such as the Italian condottieri, for its masters.

Throughout Europe there is the stir of a new life. Commerce is growing more active, navigation is spreading its sails, discovery is opening new realms. Portuguese mariners have made the passage round the Cape to India; Columbus is about to set sail. In Italy commerce and industry have long gained the upper hand of the nobility. In England they are gaining a place beside it. Under Henry VI. De la Pole, the origin of whose family was commercial, stood at the head of the state and almost within reach of the crown. Cannynge, a merchant of Bristol, entertained Edward IV. in a palace.

Feudal aristocracy having wrecked itself and the church being drugged, there is scarcely any political force in the field but monarchy, which in France and Spain becomes permanently and completely, in England less completely and for the time, absolute. This is the age of kingcraft, of which the three masters are Louis XI. of France, Ferdinand of Spain, and Henry VII. of England. Cæsar Borgia, in Italy, was its fiendish incarnation. He was the model of Machiavelli. Henry VII. was the model of Bacon, in whom there is a Machiavellian strain.

Sir Thomas More's narrative of the reigns of Edward V. and Richard III. is a political history. The day of the monkish chronicler is past, that of the historian is at hand. In More's "Utopia" comes political speculation. 1516

On the field of Bosworth, Henry Tudor put on the 1485
circlet taken from the head of the slain Richard. This was his real coronation. His title was victory, though in deference to the principle of inheritance by this time deeply rooted, he entwined with it that of succession from a legitimated bastard of Lancaster, and that of marriage with the heiress of York; the marriage after a delay which betrayed his hatred of the house of York and his fear of seeming to owe the crown to his wife. General weariness of the civil strife and general prostration made his victory decisive. The axe of aristocratic faction had deprived the middle classes of political leaders; they turned from politics to the acquisition, in agriculture or trade, of the wealth which was to make them politically powerful at a later day.

A statute declaring the allegiance of the subject due 1495
to the sovereign in possession, whatever might be his

title, reassured, so far as an Act of Parliament could reassure, all who might fear that in adhering to a Lancastrian king they were laying up for themselves wrath against the return of the house of York. The spectre of indefeasible right was thus laid, and obedience was based upon reasonable grounds.

Henry had, however, still to buffet the billows of a sea which, having been swept by storms for thirty years, could not at once become calm. The Duchess of Burgundy, a daughter of York, sister of Edward IV. and Richard III., earned the title of Henry's Juno by the pertinacity of her intrigues against him. Twice she raised up pretenders against the hated Lancastrian.
1487 Lambert Simnel, who personated the Earl of Warwick, Clarence's son, brought on the stage a new force in the shape of the German hackbuteers, Almains, as they were called, under a soldier of fortune, Martin Schwarz. That Lambert Simnel was an impostor is undoubted. Few now believe the story of Perkin Warbeck, who gave himself out as Richard, Duke of York, younger son of Edward IV. But he played his part with skill, and he is notable as a low-born adventurer who, in that age of social caste, could bear himself with dignity in courts and win the heart of a high-born wife. Ford has painted him
1487 well. From the field of Stoke, where, under the rebel banner of Simnel, Lincoln, the heir designate of Richard III. fell, Lovel, the other Yorkist leader, disappeared and was heard of no more. But in the eighteenth century,
1708 in a vault beneath Minster Lovel, the mansion of the family, was found the body of a man in rich clothing seated in a chair with a table and mass-book before him, which was yet entire when the vault was opened,

but, being exposed to the air, crumbled to dust. It was conjectured that this was the body of Lovel, who had fled thither, trusted himself to a dependent, and been immured through neglect or accident. Such was the last relic of the Wars of the Roses. Intrigue and conspiracy, however, were long in dying. Sir William Stanley, who had betrayed Richard to Henry at Bosworth, betrayed Henry in turn, and met a traitor's doom.

Nor was it with aristocratic conspiracy and mutiny alone, but with general turbulence, that Henry had to cope. The rough and warlike north rebelled against 1488
taxation. It was speedily put down. Not so speedy was the suppression of a rising among the fierce miners of Cornwall, who, being stung to wrath by the taxgatherers, 1497
and having found a noble to head them in the person of Lord Audley, marched to Blackheath, and fought, almost 1497
under the walls of the capital, a pitched battle, in which the royal park of artillery gave the victory to the crown. The country, when Henry came to the throne, was still generally unsettled. Vagabondage, highway robbery, and abduction of women were still rife. The guardian of order and civilization had excuse for strong measures and for something like martial law.

To quench the last fires of civil war, to quell the remains of feudal anarchy, to bring forward the middle class and attach it to the throne by fostering industry and trade, to organize the nation thoroughly under a monarchy practically absolute was the aim of Henry VII. He was the man for his part, a politician of the new era, without a trace of the knight or crusader, the very opposite of the founder of the Garter. In the sombre and pertinacious industry with which his policy was

wrought out, he was a counterpart of Louis XI. His new palace at Richmond was not like Plessis les Tours, where Louis lived immured in an impregnable prison, with crossbowmen on the walls to shoot at any one who approached; but the inhabitant of Richmond, like the inhabitant of Plessis les Tours, sat working assiduously at the centre of a wide web of diplomacy and secret service. Both of them, as well as Ferdinand of Aragon, brought to perfection the espionage of which all three had need. Henry was not, like Louis, treacherous or cruel. He was only cold-blooded and unscrupulous. He was ready to do what policy required; to marry his son's widow that he might not have to give back her dower, to marry a lunatic that he might be master of Castile. If he kidnapped the Earl of Suffolk it was because Suffolk had a Yorkist claim. If he judicially murdered the Earl of Warwick, it was because Warwick also had a Yorkist claim, and Ferdinand of Aragon objected to giving his daughter to Henry's heir while there was this cloud upon the title. He treated Lambert Simnel with politic magnanimity, making him a scullion in the royal kitchen, where the pretender, as is said, would lie before the fire like a dog among his dirty fellows. He would have spared Perkin Warbeck if Warbeck would have remained quiet in prison. For a king of those times he was merciful to the Cornish rebels and to defeated rebels in general.

1504 To prevent feudal mutiny from lifting its head again, statutes were made against liveries, that is, the practice of enlisting hosts of retainers with the badge of their chief, such as Warwick's bear and ragged staff; and against maintenance, or illicit combination for mutual

support in lawsuits and quarrels, by which a powerful patron secured a following. These statutes were strictly enforced, the more so as fines brought money to the king's coffers. According to a story told by Bacon, the king was leaving the house of the Earl of Oxford, whose hospitality he had been tasting, when his eyes fell on long rows of men in his host's livery drawn up to do him honour at his departure. "These handsome gentlemen and yeomen, my lord, whom I see on both sides of me are, no doubt, your own servants?" His host explained that they were not, but most of them his retainers come to do him service on the occasion, and chiefly to see the king. "By my faith, my lord," said the king, "I thank you for my good cheer, but I may not endure to see my laws broken in my sight. My attorney must speak with you." The royal guest, according to the story, kept his word and the host had to pay a heavy fine. The pecuniary penalties of rebellion were exacted with the utmost rigour. The less blood the king drew, says Bacon, the more he took of treasure. Money, which might make him independent of parliament, was his darling object, at last his mania.

The Star Chamber, as it soon came to be called, has 1487
an evil name, and presently became an instrument of tyranny. But as instituted or reorganized by Henry VII. it may well have been a necessary instrument of order. It was a court formed out of the council; ultimately it was the council itself sitting in the chamber which gave it the name. It exercised a censorial guardianship of justice, the course of which at that time was obstructed and overawed by local violence or influence too strong for the courts, juries, and magistrates of the district. Its effect,

as Sir Thomas Smith, writing in the next generation, said, was "To bridle such stout noblemen or gentlemen as would offer wrong by force to any manner of men, and would not be content to demand or defend the right by order of the law." In the north especially, according to the same writer, "It was marvellous necessary to repress the insolency of noblemen or gentlemen, who, being far from the king and the seat of justice, made almost, as it were, an ordinary war among themselves, and made force their law, binding themselves with their tenants and servants to do or avenge an injury among themselves as they listed." Like martial law, the jurisdiction of the Star Chamber might be warranted by the crisis. But it was continued and extended as an engine of arbitrary and reactionary government when the crisis was long past. Juries were untrustworthy, they were packed, coerced, or bribed; and in facilitating appeals from their verdict in criminal cases, or even superseding them by the royal judges, which was the tendency of Henry's policy, a king might think that he was promoting the interests of justice. A law on this subject, however, which struck at the life of jury trial, was allowed to lapse.

Unmixed good was assuredly done by the restriction of
1489 the impunity given by that clerical exemption from the criminal law, of which Becket was the martyr, to clerical crime, though the abuse was pared only, not abolished. Not less laudable was the restriction of the privilege of
1487 asylum, now wholly mischievous, whatever it might have been in the days of primeval violence and revenge. Such measures were a proof at once of a bracing of the sinew of public justice and of a disposition to curb ecclesiastical power. The king, however, was orthodox and generally

devout. He bore himself like a dutiful son towards the Father of Christendom, though the Father of Christendom at the time was Alexander VI.; he maintained the heresy laws; he sought canonization, though in vain, for Henry VI.; he contributed, though with reluctance and sparingly, to a crusade. The thaumaturgic power of the church and her head, as keepers of the keys and dispensers of the mystical sacraments, was sufficiently established to survive their claim to moral respect and sustain at least formal and ceremonial religion. Dispensations and indulgences are still marketable. The price of relics has not fallen. Pilgrimages are undertaken. Becket's shrine is thronged with votaries. With the talk of voyages of discovery is mingled the talk of crusades. Fine parish churches are still being built, though they are perhaps monuments of the growing wealth and the taste rather than of the faith and piety of the towns. A church was the great civic as well as religious edifice of those days. For church architecture the parsimonious king could open his coffers, as his beautiful chapel at Westminster bears witness, though here with his religious feeling would be allied the love of art, which, it has been remarked, was shown by him first of all the kings since Henry III. He invited foreign artists to England.

Bacon has said of his model of kingcraft that Henry's laws "were deep and not vulgar; not made upon the spur of a particular occasion for the present, but out of providence for the future, to make the estate of his people still more and more happy, after the manner of the legislators in ancient and heroical times." Hallam will not allow Henry this credit in the case of the statute of 1487
Fines, which is supposed to have given the power of

breaking the entails of land guarded by the enactment *De Donis Conditionalibus* of Edward I. The power of breaking the entails of land had already been given under Edward IV., by a judgment which enabled a tenant in tail, by means of a fictitious process called a common recovery, to divest his successors and become owner of the fee simple. An estate tail was not forfeitable for treason; and the object of Edward's judges was probably to remove that bar. Henry's Statute of Fines proves to be only a transcript of a statute of Richard III. Hallam holds that the real object was to quiet titles rendered doubtful by troublous times. Yet any measure which helped to break up the entailed estates of the great nobles, whatever its immediate object, would fall in with the policy of Henry VII., which was depression of the old nobility. It would also increase the number of small landowners and promote the growth of a yeomanry.

Henry could be a soldier. He commanded at Bosworth and at Stoke. But his policy was diplomatic and pacific. The foreign question of the day was that regarding the duchy of Brittany, threatened with annexation and
1491 eventually annexed by Charles VIII. of France. The spirit of the English people was stirred. They would fain have saved an old ally, kept their foothold in France, where they still dreamed of renewing the march of conquest, and prevented the consolidation of that kingdom. Henry used the outburst of national feeling to raise money for war; but while he retained the empty title of king of France, he had no mind to repeat the adventures of Edward III. and Henry V. His own diplomacy was constantly directed to the preservation of
1492 peace. He made a show of war, but allowed himself to

be bought off by France. Thus, getting subsidies from his subjects for war and indemnity from France for his neutrality, he turned the situation both ways into cash. The policy was not heroic, but it was better than a renewal of the feud with France and another diversion of the national force to the wild pursuit of barren and short-lived glories on an alien field. To prevent the consolidation of France was hopeless. The counterpoise and antidote was the consolidation of the island realm. With Scotland, in spite of the reception of Perkin Warbeck by the Scottish king and Scottish raids on England, Henry strove to make a lasting peace. The way was opened by the sword; but diplomacy at last prevailed and the peace was sealed by the marriage of Henry's daughter 1502
Margaret with the king of Scots, which paved the way for the union of the crowns, and at last for the union of the nations.

Diplomatic marriage was an art of statecraft not overlooked by Henry, and in the case of the Scotch marriage practised by him with good effect, though usually it is weak, since when affection is sacrificed to policy, policy will hardly be controlled by affection. Besides marrying his daughter to the king of Scotland, Henry married his son Arthur at fifteen to Catherine, a princess of Aragon, 1501
and when Arthur died he contracted her to his next son, 1501
Henry, then a boy of eleven; rather than pay back her dowry, it appears, he would have married her himself.

The Tudor monarchy rested on the middle classes, which, in spite of the Wars of the Roses, had been all the time gaining ground, and, being commercial and industrial, welcomed after the civil war a strong government, thinking less, for the time, of political liberty than of

liberty to ply the loom, speed the plough, grow the wool, and spread the sail. A nation enriching itself in peace and submissive to the fatherly rule of a wise king was the ideal of the first Tudor. Rulers who pass for heroes have had a worse.

The cities and towns had by this time fully bought or found their way out of feudal thraldom; they had won the privilege of self-assessment to taxation, freedom from feudal burdens, freedom from the tyranny of sheriffs, the right of electing their own magistrates, government by their own laws, judiciaries of their own, and the status of little commonwealths each within its own walls. Each wrought out for itself its own political salvation, and was invested with political franchises, not, as in these days, by a municipal reform Act but by a separate charter of its own. Enfranchisement, it has been observed, was won most easily from the crown, in whose domain the largest number and the most important of the cities were, and which welcomed them as allies in its struggle with the feudal nobility; with greater difficulty from the local lords, in whose eyes it was rather a question of power and money than of policy; with the greatest difficulty from the ecclesiastical lords, who deemed their properties and powers a sacred trust, and when asked to part with them answered, like the pope at the present day when asked to give up his temporal dominions, with a pious *non possumus*. The vexatious and sordid litigation in which bishops and abbots were engaged with citizens naturally of inquiring spirit contributed, in fact, not a little to the doom now hanging over the church. Each town formed its own municipal constitution through a series of experiments, with struggles between

trade guilds and outsiders, between monopolists and interlopers, between masters and workmen, between civic oligarchies and democracies, resembling on a small scale those which had made up the troublous and changeful history of Florence. It was not in those days as it is in these, when the leading traders live in villas out of the city, or take no part in its government, which in America is left to ward politicians. The Poles, Cannynges, and Whittingtons of the Plantagenet or Tudor era lived in the city, sought its offices, guided its counsels, led in its elections. A city now has little of unity; it is a densely peopled district requiring a scientific administration. In those days it was a commonwealth with a life and a patriotism of its own. Every citizen was bound to the common service, in arms when the tocsin called, in the duties of police, in public works, and in the performance of official functions. Eustace De St. Pierre, the heroic burgher of Calais, was more a patriot of his city than of France, and when Calais had become English was content to live under the conqueror. In England, however, parliament kept the nation above the city in the heart of the citizen. It is noted as a proof of the comparative facility with which in this free country the cities won their franchises, that they never found it expedient, like the cities in other countries, to form a confederation. The only union was that of the Cinque Ports, which formed a little maritime commonwealth specially charged with naval defence, something like the counties palatine, charged with defence against the Scotch and Welsh. The town population had been swelled by the inflow of serfs, on whom, by established custom, a year's residence within the town's franchise conferred freedom. During the Wars

of the Roses the cities had perhaps received more drift of this kind than they had desired. These additions helped to form the commonalty with which a burgher aristocracy contended for power. In most of the towns the aristocracy had probably by this time gained the upper hand. Apart from the mere influence of wealth, commerce was the bread of these communities, and their affairs might be best administered by the commercial chiefs, provided those chiefs were honest men and could avoid the tendency of oligarchies to corruption. There would thus be a loss of public spirit and of local patriotism among the citizens generally, and this would affect, through the municipality, the political character of the nation. On the other hand, there would be no municipal demagogism to disturb the interests of industry and trade.

English manufactures and commerce were making way and producing their effect on national character. England was exporting cloth to the continental markets, especially to those of northern Europe, chief among which was the great fair of Novgorod. There were works of iron, lead, tin, copper. There were budding manufactures of the finer kind, glass, carpets, lace. The merchant navy was growing, and, instead of being beholden to the Hanse, English goods were carried in English bottoms. The sea in those days was still an element outside law. Piracy was common and half licensed. Mariners of different nations warred with each other while their governments were at peace. To trade in safety it was necessary to organize an association strong enough to form a sea power. Such an association were the Merchant Adventurers of England, who, not without displays of combative and irregular energy,

supplanted the old monopoly of the Staple and broke the supremacy of the Hanse, which with its fortified quarter in London had long dominated English trade. The foreign trader, through the middle ages, was treated almost as an enemy, a deduction from the unity of papal Christendom.

The king repaid the support which he received by earnest attention to the interest of trade. He made English policy the policy of a commercial and industrial realm. His only wars were tariff wars, waged in the spirit of medieval protectionism, but with the object of pushing English trade, the cloth trade above all. Instead of conquests he made commercial treaties, of which this reign is a great epoch. Most renowned was the commercial union with Flanders, the mart of English 1496
wool and unfinished cloth, called by grateful traders the *Intercursus Magnus*. In this case diplomacy concurred with commercial policy, Flanders being the breeding-ground of Yorkist plots. But the same policy was pursued towards the Scandinavian powers, and the Spanish alliance brought freedom of trade with Spain. Henry also framed for the encouragement of the merchant navy the Navigation Act providing that English 1485, 1489
goods should be carried in English ships. Attention seems to have been turned to the opening of much needed internal communication by the improvement of roads. Henry at least left a legacy for the improvement of certain roads and bridges.

The king's policy was protectionist and vitiated by the fallacies of that system, though he imported weavers to teach the backward West their trade. It could not be otherwise in those days. Yet with the growth of com-

merce, manufactures, and the desire of gain, competition was gaining ground, and was beginning to loosen the monopolist yoke of trade guilds. The decay of towns, of which the preambles of statutes in the next reign complain, has been ascribed to the flight of industry from seats where it was not free.

In the voyages of discovery, which were a most memorable feature of the age, the king took a frugal and cautious part. He lent his countenance and a sparing measure of aid to the Cabots, who sailed on a voyage of discovery from Bristol, the commercial capital of the west. The application of John Cabot for Letters Patent in favour of himself and his three sons, Louis, Sebastian, and Sanctus, is the earliest document in the archives of the colonial empire of Great Britain. The sunnier regions had been pre-empted, but the Cabots discovered probably the North American continent, certainly Newfoundland, which, wintry as it was, presented in its cod fisheries a gold mine richer than those of Eldorado. It is believed that the fisheries were frequented from the time of the discovery by the mariners of Devonshire, a venturous and half-piratical race, and that the trade built up the prosperity of western England, while it must have developed, by bracing effort, the masculine character of the nation. Bristol, from which the Cabots sailed, was the heart of maritime enterprise and discovery. The chief seat of trade was the east, with its estuary harbours facing the continent. The seat of the iron trade was the weald of Sussex, where there was wood in plenty to smelt iron, which was not yet smelted with coal.

1496, 1497

In the rural districts, as well as in the trading towns, a middle class was gaining ground. Since the change in

the character of the manorial system from the feudal to the proprietary, a yeomanry had grown up mainly of tenant farmers, but in part of freeholders, like what has been called the territorial democracy of the United States. Villain tenure, though still "base" in the language of law books and politically unenfranchised, had ceased to be precarious. It had become a recognized tenure by entry of the tenant's name in the rolls of the manorial court, under the title of copyhold. In the next reign Latimer in an often-quoted passage says of his father, "My father was a yeoman, and had no lands of his own, only he had a farm of three or four pound by year at the uttermost, and hereupon he tilled so much as kept half-a-dozen men. He had walk for a hundred sheep, and my mother milked thirty kine. He was able and did find the king a harness with himself and his horse. . . . I can remember that I buckled his harness when he went unto Blackheath field. He kept me to school, or else I had not been able to have preached before the king's majesty now. He married my sisters with five pounds, or twenty nobles apiece; so that he brought them up in godliness and fear of God. He kept hospitality for his poor neighbours and some alms he gave to the poor; and all this he did of the said farm." To the king's policy of material progress old Latimer's homestead was indebted for its freedom from feudal violence and from feudal calls to the battlefield, with leave to sow and reap in peace, while the benefit of the *Intercursus Magnus* was felt by the walk for a hundred sheep.

Though Edward IV. had been not less powerful than the Tudor, his power ended with his life, and the usurper who succeeded him had been fain to court the people.

The monarchy was placed by Henry VII. and by the powerful minister who ruled during the first part of the next reign on a firm and enduring basis. Absolute it never was in form nor entirely in fact. Five checks have been reckoned; the control of parliament over taxation, its legislative authority, the security given to personal liberty by Habeas Corpus, the liability of royal officers to suit or impeachment, and jury trial. Without parliament no regular tax was ever levied, and the benevolences or forced loans to which kings had recourse were evasions, not denials of the principle. The fifth check, jury trial, was reduced to a form in cases where the crown had an interest, especially in cases of treason, by the practice of brow-beating and fining juries. Habeas Corpus was set at naught by arbitrary imprisonment. Prosecution or impeachment of royal officers was hopeless unless the king gave the word. The use of torture to extort confession had apparently been introduced under the camarilla, in the reign of Henry VI., though the first recorded case is under Edward IV. It became customary, though it was never legalized, in connection with state trials before the privy council or the Star Chamber under the Tudors. An independent judiciary, the grand security for public and private right, there could not be when the judges were appointed by the crown, were paid by it, and held their offices during its pleasure. Yet professional duty or spirit triumphed in some degree over the servility of the legal placeman, and the common law, that is, the custom of the realm preserved and interpreted by the judges, may be reckoned among the checks upon arbitrary rule. Another check was the absence of a standing army, or any regular

force except the yeomen of the guard and the garrisons of Calais and the royal castles. The fact is remarkable and shows, no doubt, that in the main the Tudor monarchy met the temporary need and commanded the allegiance of the nation. This, indeed, is the birthday of loyalty in the sense of personal devotion to the crown. But it must be remembered that the crown had the sinews of war in its hands, and could quickly raise forces; that it had commanders ready, and the only train of artillery at its service; while in the country generally, except in the north, military feudalism was dead, its troops of retainers had been disbanded, and the lord had subsided into the land-owner with the phraseology of lordship in his title-deeds. But the greatest check of all on despotism was the spirit of the nation, still unextinguished, and sustained by food and other material conditions which English writers proudly contrast with the scanty fare and general wretchedness of the peasantry in France. Of private wrong, even of judicial murder, which did not touch the masses, the nation was too patient; it was not patient of arbitrary taxation, perhaps not of extreme outrage on nature, such as Richard's murder of his nephews. Nor was popular opinion mute. Tudor kings stooped to tune it through the pulpit. Printing was now becoming common, and thought might defy arrest.

The judges did more than preserve and supplement the law. Under the form of judgment they sometimes legislated, and in a popular and beneficent sense. By turning villain-tenure into copyright or tenure by court-roll, they made it equally secure and heritable with freehold. By affirming the validity of fines and recoveries they unlocked land and facilitated its circulation.

Under Edward I., under Henry IV., and apparently under Henry VI., the House of Commons had been elective. Under the early Tudors it was elective in form, but it was packed with dependents and nominees of the court. After the fashion of a *congé d'élire*, the names of men whose election the court desired were sent down to the constituencies. In the next reign we have an all-powerful minister commanding that a free election of the members for a borough should be cancelled and his own nominees elected in their place, which accordingly is done. The lay peerage had been decimated and cowed, and it was outnumbered in the House of Lords by the prelates and abbots, of whom the prelates at least were nominees of the crown. When the judgments of parliament or the preambles of its statutes are cited as evidence, the composition of the House is to be borne in mind. There were no fixed times of election or dissolution. The crown could keep a servile parliament in being as long as it pleased. Yet in tampering with the independence of parliament the crown acknowledged its authority, and the House of Commons, if not really elective, was in a measure representative ; at least on the question of taxation, where it had popular feeling strongly behind it. The knights of the shire, though returned under the influence of local grandees who were generally in alliance with the court, would probably be less subservient than were the burgesses, especially when the city was in the hands of an oligarchy, with which the government would find it easy to deal. In a certain sense the weakness of parliament may be said to have been its salvation. Had it been strong enough to wrestle with the Tudors they, with the influences and needs of

the time in their favour, would probably have destroyed it; as it was subservient, they were content to let it live, to pay it a nominal deference, sometimes to let it relieve them of responsibility, and to wield supreme power under its forms.

Little independent as parliament was, however, Henry VII. seldom met it. He called but seven parliaments in his reign of nearly twenty-four years. There was one period of seven, and another of five, years without a parliament. By amassing treasure and avoiding the waste of war Henry had enabled himself to dispense with parliamentary supplies, to preserve at once his own popularity and the independence of his government. His trade was royalty; he was not wrong in thinking that strong monarchy was better than feudal anarchy; he would not have been far wrong in thinking strong monarchy better than government by an assembly, as political assemblies were in those days, ill-informed and untrained to business of state. A greater breadth of political vision was not in his nature and could hardly be expected of him in the circumstances of that age.

It is the well-known policy of absolutist kings to choose as their ministers not nobles but men of lower rank, thoroughly dependent on their master, bound up with his interest, ready to do his work, clean or unclean, and to shoulder the odium of his unpopular measures. Henry VII. chose ecclesiastics, whose service, besides being devoted and intelligent, was cheap, since it could be paid with bishoprics. Archbishop Morton and Bishop Fox were men after his own heart. Fox was his diplomatist and negotiated the Scottish marriage. Morton had been trained in the perilous days of the Roses, and

had played an active part in the conspiracies against Richard which paved Henry's way to the throne.

In his latter days the king fell into much worse hands than those of Morton and Fox. The craving for money as the sinews of power, and the means of making him independent of parliament, mastered his soul. He em-
1507 ployed two agents of the sharp attorney type, Empson, a man of low birth, and Dudley, to extort money by the vilest practices of chicane, such as oppressive fines for fictitious offences, or tricky forfeitures and escheats. The treasure thus amassed enabled him to dispense with parliament during the last five years of his reign. But he accumulated odium in equal measure, and it was under the cloud of national hatred that, after a life of indefatigable industry in the public service, with careworn brow and melancholy step, he descended to the tomb. His work had not been the very highest, nor destined to last forever; but it was done. The immense pomp of his
1509 funeral betokened the height of power and majesty to which his policy had raised the crown.

CHAPTER XVI

HENRY VIII

BORN 1491; SUCCEEDED 1509; DIED 1547

IN an age of art the artists chiefly patronized by Henry VIII. were those who painted his own portrait. We know well his burly form, his face of animal comeliness, his attitude of self-assertion. He is described as accomplished in body and mind, though, in the zenith of monarchy, the accomplishments of a king were sure to be rated high, and few could be so uncourtly as to throw him in wrestling, beat him in archery, or unhorse him in the tournament. His courage was not tried in battle. In time of plague he showed great lack of it; nor was it needed in sending innocents to the block, or ordering the wholesale execution of peasants. Self-willed as he was, it is not unlikely that some of his murders were committed in order to rid him of an influence which he had not the moral force to throw off. He had a taste for letters, which he showed in patronizing Erasmus, but which did not prevent him from murdering the philosopher and the poet of his reign. He had read theology, and we find it in his letters to a mistress mingling with the unclean language of his lust. There is reason to think that he had a not unkindly nature, though by absolute kingship with a full treasury at nineteen it was spoiled and turned into a selfishness as intense as ever had its seat in the heart of man.

The reign opened with executions which were not the less judicial murders because the victims were vile. Empson and Dudley had been the accomplices of the late
1510 king. Their heads were flung to an enraged people. The treasure which their chicanery had amassed Henry squandered royally in court pleasures, in pageantry, and at the gambling-table, where his privy accounts show that he lost large sums. His meeting with Francis I. on the
1520 Field of the Cloth of Gold was a scene of prodigal folly and waste which took all lacqueys with ravishment and has betrayed the dramatist into bombast. He bedizened himself with gold and jewels. He went to war with a preposterous train. In building, also, he was lavish. Frugality might have made his monarchy absolute.

Henry's youth, however, his good looks, his brilliancy, his manner at once frank and high, his magnificence, which the people failed as usual to see was at their own cost, all in contrast to the severe bearing and unpopular habits of his father, won for him the heart of the commons; and the monarchy alone being now left on the political stage, with nothing else to stand between the country and the relapse into civil war, king-worship became a religion. England approached dangerously near to the blind loyalty which prevailed in France after the civil wars of the Fronde and gave birth to the splendid and fatal despotism of Louis XIV. Great monarchies were being consolidated in Europe, and their example acted on the Tudors as that of Louis XIV. afterwards acted on the Stuarts.

The judicial murders of Empson and Dudley might be palliated by their offences. Unpalliated was the murder
1513 of Suffolk, whose only crime was his Yorkist title to the

crown. The late king, having got him into his hands, had left him in prison, being restrained from putting him to death by a pledge which, it is supposed, his casuistry construed as personal and not binding on his successor, to whom he bequeathed the deed.

The early part of the reign is the government of Wolsey, the last, perhaps the greatest, and certainly the most magnificent, in the line of ecclesiastical statesmen. Wolsey had as his key to power the art of playing on a despot's humour. As he confessed on his death-bed, he put his king in the place of his God, and in the end saw his mistake. His policy was absolutist; he aimed at government without parliament. Yet he was patriotic in his way, for he sought the exaltation of England. He came from the right quarter for a vizier; a trader's son, self-raised, owing everything to royal favour, he could bow the knee better than any of the old nobility. Captivating the king by his address, relieving him of toil, and setting him free for pleasure by his indefatigable industry, Wolsey became practically king, and might write *ego et rex meus.* Master of church preferment, holding, besides his archbishopric of York and his chancellorship, rich bishoprics and the rich abbey of St. Albans, he heaped on himself enormous wealth. A cardinal's hat made him a prince of the church, and, somewhat to the detriment of his foreign policy, an aspirant to the papacy. His magnificence, his palaces, his train of gentlemen clad in velvet of the cardinal's colour, the eight ante-chambers with rich hangings, through which suitors passed to his presence, the silver crosses, pillars, and pole-axes, carried before and about him when he went abroad, the prodigal splendour of the

entertainments which he gave the king and court, his towering ascendancy and monopoly of the royal smile, cut to the heart the survivors of the old nobility, and they murmured, probably they formed designs, against the low-born minister. He quashed their designs, if he did not silence their murmurs, by sending to the block
1521 their chief, the Duke of Buckingham, who suffered on the evidence of faithless servants for mere words which Tudor tyranny dubbed treason. Their estates were dilapidated, and they were made dependent on the favours of the crown by the expenses of the court with its pageants, its gambling-tables, and its Field of the Cloth of Gold. The old nobility, however, continued to form a party in the court, which struggled throughout the reign against the party of new men raised by office or court favour, such as Thomas Cromwell, Boleyn, Paget, Seymour, Audley, and Russell, and against the new policy of which the new men were the agents.

The House of Commons being elected under court influence, while the Lords had lost their retainers and their spirit, parliament on most questions sank into an engine of the government; though the Tudor never ventured to dispense with its authority as the Bourbon dispensed with the authority of the States General, but was even fain, in his dealings with foreign powers, to shelter his own responsibility beneath its ostensible freedom. At the king's bidding it betrayed the safeguards of liberty, and came near to moral self-extinction. It passed the most profligate of repudiation acts, not only releasing the king from the obligation to pay his debts, but compelling those whom he had paid to refund. It attainted and sent to the scaffold without trial or confession the

victims of his displeasure. It multiplied treasons so that anyone who incurred the king's frown was a traitor. It gave the king's proclamations the force of law. It enabled him to dispose of the crown by will. It capped its compliances by enacting in favour of his infant heir that a king on coming of age should have power to cancel all laws made during his minority. At the name of the king members rose from their seats and bowed as they would bow at the name of God. Preambles of statutes in this reign are nothing but manifestoes of the government. What noble or distinguished heads fell on the scaffold the common people cared little. The Wars of the Roses had made them familiar with such spectacles, and they were not enlightened enough to see that the axe which struck off the head of More, Fisher, or Surrey, slew public liberty in his person. The only tyranny which in general they took to heart was taxation, to which the king, having squandered his father's hoard, was compelled by his prodigality to resort. Against this a spirit of resistance was shown. An exorbitant demand 1525
of Wolsey on the taxpayer brought on a storm to which the king prudently and gracefully yielded, leaving the odium on his minister. The Tudors had tact, and showed it especially in concession. There was a Celtic strain in their blood. Statutes restraining freedom in the conveyance of property or liberty of bequest, as they touched the material interest of the commons, also encountered a certain amount of resistance.

It has been said that the forms of law were preserved. As a rule they were, and in the end they proved most valuable. Yet even the form of the Great Charter was scarcely preserved when a man was attainted for treason

and put to death without a hearing. In cases of treason the courts in these times, as Hallam says, were little better than the caverns of murderers. The real trial, if it could be so called, was before the privy council, which sat in secret, used torture, and generally prejudged the case. A subservient judge and jury merely registered the sentence of the council. In the treatment of the prisoner at the bar of what was called justice, not justice only but decency was disregarded. The House of Lords, which tried peers, was a hardly less passive tool of the government than the common tribunals. The noblest and most innocent head was as much at the mercy of the despot in England as at Constantinople. Verdicts, even of the peers, are worth no more as historical evidences than the preambles of statutes.

Was the Tudor government popular? Its eulogists say that as it had no standing army but the yeomen of the guard, it must have rested on the free allegiance of a loving people. It had, besides the yeomen of the guard, its park of artillery, the forts, and their garrisons. It had some ships of war. It could hire mercenaries at need. It had in its interest the local authorities, military as well as civil, the old feudal nobility having been supplanted by a new nobility of crown favour, and the troops of retainers having been dissolved. Buckingham, about the last feudal magnate who could have made head against the power of the monarchy, was put to
1521 death early in the reign. Insurrection in the middle and lower classes was thus deprived of its almost indispensable leaders. Popular, no doubt, the government was as a security against the dreaded renewal of civil war. It was popular as being national, not feudal.

Aristocratic opposition to it had been broken; no other opposition had been formed; and the middle classes, having turned their minds away from politics to commerce and the acquisition of wealth, were ready to welcome a strong rule. Yet there were insurrections, serious, and not easily put down. Opinion being thoroughly fettered, we have no means of knowing what Englishmen in general really thought of their king.

The first two decades of the reign are full of diplomatic intrigue and wars of royal rivalry. Three young kings, Henry VIII., Francis I., and Charles V., who had all been competitors for the august title of Cæsar, made Europe the gambling-table of their restless, senseless, and unprincipled ambition. The wars were without object or substantial result, while, being carried on largely with armies of freebooting mercenaries, they inflicted on the people miseries untold, culminating in the sack of Rome by the imperial hordes, one of the great 1527
horrors of history. Diplomatists, of course, were in request, and diplomatists of the kind afterwards described by Wooton, when he said that an ambassador was a man sent to lie abroad for the service of his country; men perfect in their sinister craft, consummate masters of intrigue and dissimulation, ignoble precursors of the noble profession which has in better times made diplomacy on the whole a ministry of justice, peace, and good-will among nations. Now comes the era of espionage, bribery, treachery, and political assassination. Whichever of the three royal gamesters was for the time the winner had the other two against him. Here we have that diplomatic idol, the balance of power, which has cost the nations dear.

Henry's passion was vanity; he loved to think himself the arbiter of Europe. At one time he had formed a wild design of renewing the enterprise of Henry V., the memory of whose fatal victories the nation still cherished, and asserting in arms his claim to the crown of France. He laid down his money freely and was fooled by both his allies in turn, especially by the politic and cold-blooded Charles V. He paid no heed to the sagacious adviser, who bade him turn his eyes from the field of empty and fleeting glory in France to that of solid and lasting acquisition in the north of his own island. By quarrelling with France he brought down upon himself, as a matter of course, an attack from Scotland, whose
1513 wires France always pulled; and the victory of Flodden, not followed up by conquest, remained a splendid victory and nothing more. An attempt was made in a better spirit to provide for the union of the crowns by the marriage of Henry's infant heir with the infant heiress of Scotland. But through Scotch jealousy and faction, aided by Henry's arrogance, it failed, and a renewal of the senseless war of devastation, with the barbarous sack-
1542 ing of Edinburgh, deepened the gulf of hatred between the two sections of the English race.

The revived monarchy, however, did not fail to show its force within the islands. A dynasty partly Welsh aptly completed the Welsh union. By a series of statutes the principality was politically incorporated with England, a limit was put to the irregular domination of the Lords Marchers, all Wales was made shire ground,
1536 with English laws, local self-government after the English model, and parliamentary representation; the only distinction of importance left being that Wales was not

included in the circuits of the English judges, but had special sessions of its own. Political incorporation, however, did not efface the difference of language or of character. These the Welsh hills preserved and in some measure preserve now.

Ireland also felt the new force. Hapless Ireland, and hapless England in her dealings with Ireland, and in all the bitterness, trouble, and danger which these dealings have entailed! If there is a case in which historical fate may be accused rather than man, rather, at least, than any single man or set of men, it is the case of England and Ireland. Had Anglo-Norman conquest of Ireland been complete, as was Norman conquest of England, it would have been followed by fusion of the conquering with the conquered race. Undertaken, not by government, but by private adventure, it was left incomplete. Private adventure had neither force nor desire to penetrate mountain, bog, and forest. The centre of English power was far away. The road lay through Welsh mountains long unsubdued. The arms of the monarchy were diverted to French fields. Alone of the kings, Richard II. led an army to Ireland, and he returned from a futile expedition to find his kingdom lost. The sojourn of Lionel, Duke of Clarence, son of Edward III., produced a momentary reformation. "Because," says Sir John Davies, "the people of this land, both English and Irish, out of a natural pride, did ever love and desire to be governed by great persons." If British monarchs could only have seen this and done their duty! The channel over which the Dublin and Holyhead packet now so swiftly shoots was then a considerable sea. The result was an Anglo-Norman Pale

of which Dublin was the centre. Outside the Pale the septs remained in their primitive state, with the clan system, no central or regular government, no cities, scarcely any agriculture, a pastoral and unsettled life, and general lawlessness under the name of Brehon law. A ruthless war of races was always going on. As the hostile Indian is to the American frontiersman, so was the native Celt to the Anglo-Norman of the Pale. At the same time there was constant war among the tribes. Nothing is more cruel or more hideous than a protracted struggle of semi-civilization with savagery. A native was to the Englishman as a wolf, and the native skene spared no Englishman. Nothing could prosper. In the little English sea-board towns, petty commonwealths in themselves, there was order and some commerce. Galway preserves in her architecture and her legends the picturesque and romantic traces of her trade with Spain. Elsewhere was nothing but turbulence and havoc. A parliament there was in the Pale, but it was a scarecrow. Judges there were in the Pale, after the English model, but they had little power to uphold law. The church was feeble, coarse, and almost worthless as an instrument of civilization. What there was of it was rather monastic than parochial, the monastery being a fortalice, and, in a general reign of crime, perhaps drawing endowment from remorse. Only the friars were zealous in preaching. The church seems not to have acted as a united body, to have held no synods, and to have been divided, like the population, by the race line. Ecclesiastics fought like laymen, and appear to have been as little revered. A chieftain pleaded as an excuse for burning down a cathedral that he had thought the archbishop was in it. In

the Celtic districts the calendar of ecclesiastical crimes, or crimes against ecclesiastics, given by the Four Masters between 1500 and 1535, comprises Barry More, killed by his cousin the archdeacon of Cloyne, who was himself hanged by Thomas Barry; Donald Kane, abbot of Macosquin, hanged by Donald O'Kane, who was himself hanged; John Burke, killed in the monastery of Jubberpatrick; Donaghmoyne church, set on fire by McMahon during mass; Hugh Maguinness, abbot of Newry, killed by the sons of Donald Maguinness; the prior of Gallen, murdered by Turlough Oge Macloughlin; O'Quillan murdered, and the church of Dunboe burned, by O'Kane.

Some of the Anglo-Norman barons, finding tribal anarchy even more lawless than feudalism, doffed the hauberk, donned the saffron mantle of the Irish tribe, and became chiefs of bastard septs. The crown, by enactments which seem like an inhuman perpetuation of the estrangement between the races, strove to prevent this lapse of the Englishry into barbarism, but strove in vain.

While England was torn and her government paralyzed by the Wars of the Roses, the Pale was reduced to a district comprising parts of four counties, and defended by a ditch. Had there been among the Celts any national unity or power of organization, here was their chance of winning back their lands. But they were fighting among themselves as fiercely as they fought against the Pale. As a learned Irish writer says, patriotism did not exist; there was no sentiment broader than that of the clan; nor was the rival clan less an object of enmity than the Englishry. Soon the chance of the Celts was lost. Out of the wreck of the aristocracy in the civil war rose the powerful monarchy of the Tudors. The thoughts of

Henry VII. had been turned to Ireland, where the Pale was Yorkist and had been the scene of Yorkist conspiracy. Compelled perhaps in the infancy of his power to prefer policy to arms, he sought to govern Ireland through its local chiefs, the greatest of whom was Kildare, the head of the bastard sept of Geraldine, saying, when he was told that all Ireland could not govern Kildare, that if it were so Kildare must govern all Ireland. He, however, sent over a strong deputy in the
1494 person of Sir Edward Poynings, and brought the parliament of Ireland, which was merely that of the Pale, under the control of the English government by two enactments, one requiring all Irish legislation to receive the
1494 previous assent of the English council, the other making all English laws operative in Ireland. Henry VIII., strong in the power which his father had bequeathed to
1542 him, took the title of king of Ireland in place of that of lord under the pope, and resumed the task of conquest. But he also was drawn away by his vanity to chimerical adventure on the continent, and the Irish service was starved. Soon, to the deadly animosities of race in that island of strife, was to be added the deadly animosity of religion.

The event of the reign, however, is that which here is not very aptly called the Reformation. The time for the revolt of the Teutonic nations against the Latin theocracy was now fully come. The papacy, after its return from
1408 Avignon to Rome, had in some measure recovered its
1378–1447 authority. But it had since been disgraced by schism,
1439 by the portentous appearance of three rival popes, by the arraignment of its scandalous chiefs and the exposure of their corruption before general councils, by the monstrous

vices of the Borgias, the outrageous secularism of Julius II., and the paganism of Leo X. Cultured and sceptical intelligence with the pen of Erasmus, the Voltaire of his day, had mocked at its superstitions, its thaumaturgy, its false miracles and apocryphal relics, its ignorant and obscurantist monkery. Erasmus had made a satirical pilgrimage to the shrine of the great ecclesiastical martyr, Thomas Becket. In terrible earnest Luther, Zwingli, and the young Calvin, representatives of the serious spirit of the Teuton and his love of truth, had given the signal for revolt from the falsehood and the formalism which were destructive of spiritual life. Northern Germany and Switzerland had renounced the papal faith and rule. Some time before, the seeds of Wycliffism had been carried by students to Bohemia, who in her own wild way had raised the standard of religious rebellion, and had given martyrs to reform in the persons of John Huss and Jerome 1415
of Prague. Catholics of the more liberal and evangelical 1416
school, such as Contarini and Pole, were ready not only to reform abuses, but to make doctrinal concessions to protestantism, even to recognize as fundamental the doctrine of justification by faith. For the reunion of Christendom they looked forward to a general council. Their hope might have been fulfilled and Christendom might have been spared two centuries of havoc, material and moral, the moral worse than the material, if the wealth and earthly greatness of an enormously rich and powerful priesthood had not been bound up with papal supremacy, priestly control of the spiritual life through the sacraments, transubstantiation, purgatory, and the confessional; if, it may be added, there had not been a vital bond between priestcraft and kingcraft, between papal supremacy

and royal absolutism, between spiritual thraldom and political submission. As it was, the hope of Contarini and Pole was vain. When the general council, so much desired, came, it was not a council of healing and reunion, but the council of Trent.

1545 *sq.*

In England the revolution was less doctrinal than political and social. Lollardism, if not dead, had slunk into obscurity. Of Wycliffe, there remained in England little more than his Bible, which, like his doctrines, was proscribed. In the reign of Henry VI., Pecock, a liberal divine, the Arnold or Stanley of his day, had essayed to preach a rational and comprehensive religion, but he had been at once put down. The people in general, in the rural districts at least, still were, and long continued to be, attached in a dull way to the old religion, with its ritual and its festivals, with its transubstantiation and its seven sacraments, with its purgatory and its prayers for the dead. Nor can we wonder at its hold when we see its resurrection, fleeting though it may be, in our own day. The chief religious movement was among the men of intellect, such as More, Colet, Linacre, Grocyn, and Pole, of whose circle Erasmus, when he paid them a visit, was the centre. These men looked to the sun of learning and education to chase away the shadows of superstition; warred rather against monkish stupidity and torpor than against anything in the creed or constitution of the church; and hoped that enlightened authority, assuming the guidance of reform, would make the past slide quietly into the future.

To the English people in general the pope, though undisputed head of Christendom and holder of the keys, had always been a foreign power, revered, perhaps, and

dreaded, but not greatly loved. The tribute which he extorted, and which the exigencies of his ambitious quarrels made more grinding, had always been grudgingly paid, particularly when it took the scandalous form of the appropriation of English benefices to Italians who drew the incomes at Rome. Resistance to papal abuse, fiscal and in the way of patronage, had been commenced by Grosseteste in the reign of Henry III. It was continued at intervals from that time. Edward I. had compelled the clergy to submit to national taxation. The statute 1350
of Provisors had barred the appropriation of benefices by the pope, that of Præmunire had barred papal interfer- 1393
ence by means of bulls and legatine commissions; though the statute of Provisors was much evaded, the crown going shares with the pope, while the statute of Præmunire was at that time unequivocally set at naught by Wolsey's commission as legate. The pope still drew his first-fruits from English benefices; he still received his Peter's pence; the Roman Curia still sold to English suitors ecclesiastical judgments and dispensations from the canon law, particularly from the law of marriage. The crown having the power of granting licenses in mortmain, and chancellors being churchmen, the wealth of the church, notwithstanding the statute, had continued to grow. Her estates, apart from tithe, formed by this time no small portion of the landed property of the realm. They were ever on the increase; they could never come back into circulation; and as of their possessors a great many were drones, they were an incubus on the industry of the nation. In the Reformation, economical as well as spiritual and intellectual causes were largely at work. Church courts also excited intense hatred by their vexa-

tious enforcement of an effete system of discipline for the sake of the fees and fines; by their interference with wills, a province of law which they had usurped; by the prying tyranny of the official harpies who lived on them; and at this time by their inquisitorial persecutions of what they and the law styled heresy. The inhabitants of the cities, especially, vexed in their purses and in their persons, learnt to hate the clergy, and, if active-minded, to question the clerical creed. A citizen of London, confined on a charge of heresy in the bishops' prison, was found hanged in his cell. It was given out that he had committed suicide. But the chancellor of the diocese was indicted for murder, and it was held that if the case came to trial before a common jury there would be little chance of his acquittal, since, as a bishop said, London juries were so prejudiced against the church that they would have found Abel guilty of the murder of Cain. The immunities of the clerical order from the criminal law, though by this time reduced, still sheltered criminal clerks from justice. The noxious privilege of sanctuary still prevailed. Clerical corruption and indolence, the sure offspring of a plethoric establishment; the concubinage to which the rule of celibacy drove men, whose passions it could not extinguish, and of which popes and prelates, Wolsey among them, set the example; the abuse of church patronage as payment for secular services, or for the purposes of nepotism; the pluralities; the sinecurism; the robbery of parishes by the monastic appropriation of tithes; the knavish mendicity of the friars; the worldly greed and pride of the whole clerical order, could not fail to produce their effect on opinion. These things stirred the people more than theological doubt

or spiritual aspiration. Yet it is truly said that there was growing up, especially among the middle classes in the cities, a plain morality which revolted from the formalities, hypocrisies, and casuistries of the church. The printing press was now in full activity. Opinion had become popular and European. The continental movement could not in any case have failed at last to make its way to England.

In catholicism, however, there was some salt of genuine religion still left. There was a spiritual life which was still essentially sacerdotal and sacramental. There was an intense attachment to the unity of the church. Catholicism will have its martyrs; it will have popular risings in its favour; it will presently have its revival and its self-reform. Even in our own day it will draw back to it gifted and cultivated minds.

Wolsey, an English Leo X., was, like his Italian counterpart, a loose liver, and as a non-resident archbishop a signal instance of ecclesiastical abuse. But, like Leo, he was a friend of learning, and thus a reformer in the intellectual way. Nothing was dearer to his heart than his foundations at Oxford and Ipswich. He patronized the new studies; nor does he seem in the choice of teachers for his colleges to have shrunk from the new ideas. Probably, like Leo, he despised rather than hated the religious enthusiasm of the Reformers. His master, on the other hand, was a strong papist, had descended from his throne to enter the lists of controversy against Luther, and for the aid of his royal pen had received from the pope, and was proud to bear, the title of 1521
Defender of the Faith. Protestantism, connected as it was with social and political innovation, could not fail

to repel an absolutist monarch. A convert to its doctrines this monarch never was. Assuredly if by protestantism is meant freedom of religious thought and liberty of private judgment, nobody was ever less a protestant than Henry Tudor. In the midst of his own ecclesiastical innovations he offers to orthodoxy a holocaust of Anabaptists. An Act for the punishment of
1534 heresy went hand in hand with his renunciation of the pope.

The sole cause of Henry's secession from the papacy and of religious revolution so far as he personally was concerned was his desire of a divorce. Divorce, it is called, and Pope Clement is arraigned for having refused, from fear of the Emperor's wrath, to exercise the power which he is assumed to have possessed of dissolving the marriage of Henry with Catherine of Aragon, that there might be a male heir to the throne. The pope had no such power. Marriage in the church of Rome is a sacrament, and when solemnized between baptized persons and consummated, if not even without consummation, is indissoluble. All that the pope could do was to declare the marriage with Catherine void from the beginning, on the ground that Catherine had been the widow of Henry's brother Arthur, and that this was a degree of affinity beyond the power of papal dispensation, being prohibited by the law of God, whereby he would have been reversing the act of his predecessor in the chair of infallibility, who had granted and confirmed the dispensation. It is true that the dissolution of marriages with liberty of marrying again on pretended grounds of affinity or precontract had been common, and that the church, the professed guardian of matrimony, had thus pandered largely

to license among the classes which could afford to pay for her decrees. But the voidance of a marriage on the ground of affinity or pre-contract is a different thing from a divorce.

Whether weariness of Catherine of Aragon, a wife six years older than her husband, and now without hope of male offspring, had preceded in Henry's mind his passion for the pretty, coy, and artful maid of honour, Anne Boleyn, is a question alike insoluble and unimportant. Nor can we tell whether he succeeded in self-mystification so far as to persuade himself that he was moved by a scruple of conscience to gratify his weariness of one woman and his passion for another. The letter to Anne Boleyn in which he blends theology with the coarse outpouring of his passion, is probably a fair key to his state of mind. He had lived with Catherine for eighteen years without misgiving. She had been a good and faithful wife to him, and she had borne him several children, though Mary alone had lived. With continence he cannot be credited. He owned to one natural son. In his ways of compassing his object conscience assuredly had no part. He first tried a collusive suit before the ecclesiastical authorities of his own realm. As this device failed of effect, he plied all the arts of a sinister diplomacy through unscrupulous envoys at the papal court. He extracted opinions in his favour from his own universities by bullying, from foreign universities by political influence or corruption. He suggested that the queen should be induced to take in common with him monastic vows, and that when the nunnery door had closed upon her he should be released by the pope. He lied to the pope. He lied to Catherine. He lied to his

people, whose hearts were with the wronged wife, while their commerce dreaded a rupture with the Emperor, Catherine's nephew, who was master of Flanders, their principal mart. If we may trust the chronicle, he most solemnly assured a great public assembly that he loved Catherine above all women, and vowed that nothing but his conscientious scruples prevented him from keeping her as his wife; this at a time when he was moving heaven and earth to get rid of her, and declaring his love to another woman. He tried to get into his hands, through his influence over Catherine, a document important to her case which was in the keeping of her nephew, with the evident intention of destroying it. He insulted his wife and unmasked himself by openly installing in the palace his paramour as a rival queen. The draft dispensation for his marriage to Anne submitted to the pope, and the table of affinities engrafted on a subsequent
1534 Act of Succession, with evident relation to his marriage with Anne, coincide with the report current at the time, that Anne's sister, Mary Boleyn, had been Henry's mistress; in which case the conscience of the king, if he was to be believed, was driving him out of a wedlock of prohibited affinity into a wedlock of incest. This would hardly have been possible in any age but that of the Borgias and Julius II. The conduct of Catherine, nobly firm in maintaining her right, the right of her daughter, and that of all wives, yet loyal and gentle, is the redeeming element in a vortex of villainy and falsehood. The heart of the people was with her and against the new wife, even in cities such as London, which were the centres of the new opinions.

The pope, of course, could not be deceived as to

Henry's motive, or as to the moral rights of the case. But what he would have done had he not been in awe of the Emperor we cannot say. He was placed between two millstones. He was apparently ready to connive at anything if he could only escape responsibility. Wolsey, in the cause of his master's passion, plied all his diplomatic arts. But the upshot was a legatine commission 1528
in which Campeggio was paired with Wolsey. Campeggio, Catherine resolutely refusing to take monastic vows, went with his colleague through the form of a trial, in which Henry, to exalt his royal dignity, appeared as a suitor before a foreign tribunal in his own domin- 1529
ions. Catherine, resisting all insidious overtures, appealed against the tribunal, and the end, after a tissue of chicanery, was an avocation of the cause to Rome.

The vizier having failed, though through no fault of his own, to do what the sultan wanted, his head fell. 1529
Wolsey, having served the king all these years with untiring industry and unscrupulous devotion, faced for him the hatred of the people, lifted him to a height among kings to which he never could have raised himself, was not only cast down from power but disgraced, not only disgraced but prosecuted under the statute of Præmunire, condemned, and stripped of his goods. The pretext was his exercise of legatine power, which Henry, for his own purposes, had used his influence at Rome to procure for him. Henry and Anne Boleyn went to York Place, Wolsey's palace, to gloat with greedy eyes over their rich spoil. Ipswich was seized by the royal robber. The cardinal's college at Oxford escaped after an hour of extreme peril with the loss of a part of its endowment, while the title of Founder was usurped by the king.

1530 Adversity restored Wolsey to himself. He went down to his diocese of York, did his duty there as an archbishop, led a religious life, and won the hearts of his people. Henry, with a lingering spark of good feeling, or possibly from a lurking fear of a man whose powerful mind he knew, had kept on the mask towards Wolsey, and sent him a ring as pledge of regard. But the woman at his side fancied that Wolsey had crossed her design, while the members of the aristocratic party at court, to which the plebeian statesman was with good reason hateful, alarmed by his popularity in the north, and fearing that he might recover the king's favour, determined to finish the work. Setting on foot a plot of which a faithless dependent was probably the instrument, they procured the cardinal's arrest for high treason and were bringing him from Yorkshire as a prisoner, with the intention, probably, of dealing with him as he had dealt with Buckingham, when he was snatched from their
1530 grasp by death. "If I had served God as diligently as I have done the king, He would not have given me over in my grey hairs;" so said Wolsey in his last hour. God, whom he had not served, had not deserted him in the day of his misfortune, making it his better day. The touching fidelity of Cavendish and others of Wolsey's household to their fallen master partly redeemed the age.

Seeing that he had been duped, and that there was no hope from Rome, where the Emperor upheld the cause
1532 or 1533 of his aunt, Henry rushed into a private marriage. In so doing he broke with the papacy, and though he tried to repair the breach, negotiation proved vain. At a later
1535 stage of the contest the pope, Paul III., excommunicated
1536 him, and at last pronounced sentence of deposition.

The rupture was complete. Teutonic England, with other Teutonic nations, secedes from Latin Christendom. Europe will henceforth be no longer a catholic federation, but a group of nations, each moving on its own path, intellectually as well as politically, and with no bond, apart from special alliances, but that of a common morality, the main articles of which survived the schism, and so much as there might be of regard for international law. Religion is no longer universal but national, and instead of being a link of union is often a source of mortal enmity between nations. The great catholic monarchies remain grouped round the papacy, though they also are more national than before. Opposed to them will be the protestant powers, without unity of creed, but linked together by a common enmity and a common peril.

The divorce was to be pronounced and the new marriage was to be confirmed by home authority. With a view to this and in fulfilment of the king's designs upon the church, the archbishopric of Canterbury was given to 1533
Cranmer, a good man, but pliant, now called to be the theologian and liturgist of the Anglican Reformation. Cranmer had suggested the reference to the universities. He was privately married against the canon, and was thus at the mercy of the king, who could at any time have unfrocked him for breach of vow. He did his master's will.

By her coy and patient artifice Anne Boleyn had won the crown. She wore it not long. She bore the king a daughter, Elizabeth, but not the male heir on 1533
whose birth his heart was fixed and his hopes were built. Henry grew weary of her, bickered with her, fell in love with Jane Seymour, a lady of the court. On a sudden

1536 Anne was arrested and accused of treason in flirting with three gentlemen of the court, Norris, Brereton, and Weston, and with Smeaton, a musician. To swell and blacken the indictment she was also hideously accused of incest with her brother, Viscount Rochford. She protested her innocence, and of her alleged paramours one only, Smeaton, confessed, and he under terror of the rack, a regular though illegal engine of Tudor tyranny. She was tried by a court of subservient peers, over which professionally presided the villain and sycophant Audley. As high steward sat her uncle, the Duke of Norfolk; from that den of tyranny and intrigue natural affection as well as justice had fled. Before her mock
1536 trial parliament had been called, in anticipation of the verdict, to re-settle the succession. After her conviction she was made to confess to Cranmer in secret something which had been an impediment to her marriage with the king, that her marriage might be declared null and her child excluded from the succession. What she confessed there can be little doubt was that her sister had been the mistress of the king. If the marriage was null, it followed that she had never been queen consort, and could not by her adultery have committed treason; but law stood in the way of the despot as little as justice. Anne Boleyn probably was a bad woman. Perhaps she had upon her head the blood of catholic martyrs, and would have had that of Wolsey had he not been rescued by death. But she was Henry's wife. Her head had been laid upon his breast. She was the mother of his child. Probably she was the only woman whom he had really loved. While she was being tried for her life he shocked the people by the indecency of his revels. The day after

her execution he took to wife Jane Seymour, on whom he 1536
had set his affections, and for whose sake, partly at least, it cannot be doubted, Anne was murdered.

Of those who were accused with Anne, Smeaton alone confessed. But the others failed to protest their innocence, and this is a feature common in the judicial murders of the reign. It rested with the king to say whether the condemned should be beheaded or suffer the death of torture prescribed by the treason law. It rested with the king to say whether the wife and children should be deprived of bread. But, moreover, the despotism spread a pall of terror beneath which all hearts, as well as heads, bowed to the decree of the despot, as that of some superior and almost superhuman power. History can produce a parallel. When Philip Mary, tyrant of Milan, to get rid of his wife, Beatrice, of whom he was tired, accused her of an intrigue with Michael Orombelli, though the charge was undoubtedly false and was to the last denied by Beatrice, Orombelli repeated on the scaffold the confession which had been first wrung from him by the rack.

The divorced wife had put an end to the fear of the Em- 1536
peror's intervention by preceding her rival to the tomb, not without suspicion of foul play. When she died the king gave a court ball, appeared at it in gay attire, and carried the little princess Elizabeth round the circle in triumph. There have been bloodier tyrants than Henry VIII.; there never was one more brutal. There never was one who more trampled on affection. Those who deem affection a small part of our life and weal, or of our civilization, may think Henry a good king.

Henry meantime had been borne forward in religious

innovation. He had now found a new vizier, a layman, not a cardinal, and one ready to go all lengths. Thomas Cromwell, a trusted servant of Wolsey, had leapt nimbly, and not without grace, from the foundering barque of his maker's fortunes into the royal ship, of which he presently grasped the helm. Doubt hangs and fable has gathered about the early part of this man's career. He appears to have been a roving adventurer, afterwards a scrivener and money lender; then a confidential dependent of the cardinal, and employed in the suppression of monasteries for the cardinal's foundation at Oxford, which gave him the first taste of confiscation. Cromwell was exceedingly able, daring, and absolutely without scruple; the English counterpart of William of Nogaret, the familiar of Philip the Fair, and destined to a work not unlike the outrage on Pope Boniface and the destruction of the Templars. His gospel was Machiavelli. Religious conviction he probably had none. Of conscience he was wholly devoid. But he saw that, in the king's present temper, protestantism, or at least war on the pope and clergy, was the winning game. He pricked the king onward and opened to him a vista not only of power, but of immense spoils.

The first blow was struck at the clergy. They were
1531 all pronounced liable to the penalties of Præmunire for having submitted to Wolsey's exercise of the legatine power, and an enormous sum of blackmail was demanded of them as the price of their pardon. As the king himself had not only sanctioned Wolsey's legateship, but appeared in the case for the divorce as a suitor in Wolsey's legatine court, this was an act of brigandage made fouler by chicane. The clergy, however, succumbed and the blackmail was paid. The laity had been formally

included in the Præmunire, but to levy the blackmail on them would have been unsafe.

The attack was presently turned against the pope. His first-fruits were made over to the king. His Peter's pence 1534
were stopped. His appellate jurisdiction was swept away, and the judgment of the king's courts, ecclesiastical as well as civil, was made final. The absolute appointment of archbishops and bishops was vested in the crown, though under the form of a compulsory election by the chapter. Advancing, the king transferred to himself the entire papal authority, causing himself to be declared by parliament the only supreme head in earth of the church 1535
of England. Convocation bent, assuredly against its conscience, to the royal will. Cromwell, a layman, was made vicar general and presided in convocation 1535
for the king, while the legislative power of that assembly was brought absolutely under royal control. Thus an estate of the realm which had hitherto been in some measure independent, having a European centre beyond the royal power, and had formed an important factor in the conflict of forces by which the constitution was wrought out, lost its independence, and became a momentous addition to the force of the crown, the political fortunes of which it henceforth shares. On the other hand, the English monarchy had severed itself from the catholic monarchies, and from the common cause of kings. Alone it will have to face the spirit of innovation which it has evoked, and which will presently turn to political revolution.

The king had now grasped dominion over the spiritual as well as the political and social life of the nation, and in the spiritual sphere his power was untempered even

by a packed assembly, since convocation had become a mere organ of the crown. He presently exercised his papal power by giving his subjects a religion under the
1537 title of "The Institution of a Christian Man." It was substantially the old religion with the king substituted for the pope. In putting it forth the king proclaimed himself responsible for the souls as well as the bodies of his subjects. It is to the king, he says, that scripture gives all power of determining causes, of correcting errors, heresies, and sins. That the nation could tamely allow such a man to put himself practically in place of God shows that the monarchy must have been strong, and that hatred of the papacy must have been deep.

But there were catholic consciences in England. Sir Thomas More, whose character as a man, as a judge, and as a Christian shines like a star in the night of iniquity, was a humanist and a reformer of the intellectual school.
1516 When he wrote his "Utopia" he was a thorough-going liberal. But he grew devout; the excesses of religious innovation made him conservative; he wrote vehemently against heresy. In office he treated it as a crime, as by law and universal opinion it then was. He had to plead guilty to some acts of personal severity against heretics. That he put heretics to death is untrue. Erasmus positively denied it in the face of Europe. Nor was persecution More's crime in the eyes of the despot, who was always burning heretics, while he treated as heretics all who refused to bow their consciences to his will. More had been a familiar friend of the king and had helped him in the composition of his treatise against Luther. He had warned the king against excessive exaltation of the pope's authority, and the king had

replied that he could not say too much in favour of the authority to which he owed his crown. He understood Henry's character, and to one who congratulated him on the signs of the royal favour he said that the king was kind to him, but that if his head could buy a castle in France it would go. On Wolsey's fall he became chan- 1529
cellor. Upon the breach with the papacy he resigned. He did no seditious act; he spoke no disloyal word; but he declined to swear against his conscience to the Act of Succession, framed, in defiance of the papal authority, to legitimize the marriage with Anne and make her descendants heirs to the crown, or to the Act of Supremacy making an earthly despot head of the church. It was the special infamy of these statutes that they violated the sanctuary of conscience, and required not only submission but an oath of assent. A base attempt was made to entrap More into a treasonable avowal through Rich, solicitor-general, a miscreant conspicuous even in that age. He was attainted and murdered. With him 1535
for the same cause died Bishop Fisher, the best of the 1535
catholic prelates. The real crime of both was that, with their high reputation, their rectitude smote the conscience of the king and probably that of his paramour. Indignation filled the catholic world, and found eloquent expression by the pen of Erasmus. It extended even to the Lutherans, who had looked up to More, catholic though he was, as a reviver of learning and of light. In vain the government put forth in its defence a lying manifesto. The sophisms by which these murders have been defended may be passed over with scorn. Words are not treason; much less is silence, the only crime of Fisher and More. That England was then threatened with in-

vasion by catholic Europe is a figment. Nor if she had been, would her government have been rendered safer by acts which filled with horror not only the catholic world abroad but the great majority of her own people. That More and Fisher would have been led by their principles to join an invading army is a suggestion too ridiculous for discussion. If the object in these proceedings was the reform of religion, could the religion of Jesus Christ be restored by shedding innocent blood? O Liberty, what things have been done in thy name! O Jesus, what things have been done in Thine! The plea of inevitable necessity is pathetically put forward by a paradoxical defender of these executions. Why was a train of judicial murders indispensable to the Reformation in England any more than in Germany, Holland, or Switzerland?

Partners with More and Fisher in martyrdom, not to the catholic faith alone, but to spiritual liberty and truth, were the monks of the Charter House, in whose heroism the religion of the middle ages shot a departing ray. Refusing, as not only every catholic but every protestant worthy of the name would now refuse to take, the tyrant's tests, they were iniquitously and cruelly butchered. Of some of them who are in prison one of Cromwell's minions writes to his master "that they be almost despatched by the hand of God"; that is, they had been nearly killed by being kept chained upright to posts, or by the filth and stench of their dungeons.

The schism, and the murder of Fisher and More, stung to frenzy Reginald Pole, a kinsman of the king and one of the most distinguished ecclesiastics of the day. Pole was a member of the liberal circle of Contarini, which sought reconciliation with the protestants on favourable

terms, including the recognition of justification by faith as a cardinal doctrine. But like other men of his time he believed in the necessity of church unity, and could ill brook its disruption by a despot's lust. He wrote a violent treatise in defence of church unity and against 1535
royal usurpation. He most unwisely tried to stir the catholic powers to a crusade, but found that the politicians were cool-headed and that the age of crusades was past. Nor was it ever possible to allay the mutual jealousies of the two great rivals, the Emperor Charles V. and Francis I. of France, so far as to get them to draw their swords in the same cause. The only result was the execution, after a mock trial for treason, of Pole's mother, 1538
the Countess of Salisbury, and of his brother, Lord Mon- 1541
tague, with others of his friends.

To govern without parliament had been Wolsey's aim. Once only, pressed by financial need, he had called a parliament, and with that parliament he had quarrelled. To govern with a packed parliament seems to have been the policy of his successor. The king in his conflict with the pope and with the body of European sentiment on the side of the pope, required the apparent support of the nation, which a packed parliament could ostensibly afford.

Cromwell now offered his master, whom extravagance kept needy, a flood of wealth to be drawn from the confiscation of monastic estates. The end of monasticism in England had come. Asceticism, a false aspiration, though useful in its day as a protest against barbarian sensuality, had by this time decisively failed. It had degenerated into torpor, or something worse than torpor, with a prayer-mill. Rules had been relaxed. In the lesser monasteries especially corruption had frequently

set in. Monastic life having become a life of drones, the lazy were sure to take to it, and laziness was pretty sure to breed vice. Monasteries in parts of the country where there were no inns were still useful as hospices. They fed the poor at their gates, fostering mendicancy, however, by their almsgiving. As havens of learning and places of education they had been largely superseded by universities, grammar schools, and libraries. Printing had put an end to the use of their writing-rooms for copying books. Instead of being in a narrow way pioneers of intellectual progress they had become a bar to it. Of all that was reactionary and obscurantist in the church they were the strongholds, and some of them subsisted by the grossest impostures of superstition. To parochial religion they were noxious as appropriators of parish tithes. Easy landlords they probably were, but not, as in the early Cistercian days, agricultural improvers. The estates of some of them, it seems, had been mismanaged to the extent of dilapidation. They had, in short, generally become an incubus on the community. Not all were corrupt, or even useless. The brightest exceptions were some of the nunneries, which, as places of education for women, had still a work to do. Already there had been partial dissolutions; for when the crusading spirit passed away the order of the Temple was abolished, alien priories had afterwards been made over to the crown, and Wolsey had dissolved a number of small monasteries to form an endowment for his college at Oxford. Parliaments more than once had cast a covetous eye on the vast estates which, they said, did no service to the commonwealth. Cromwell now, in the name of the king,
1535 sent forth commissioners of inquiry. These commis-

sioners no doubt were tools. They found, what they were sent to find, reasons for a sweeping confiscation. Sometimes their report preceded inquiry. But there is no reason to doubt that they found facts enough for their purpose in the abodes of idleness, dulness, and routine religion. From most of the abbots and priors surrenders were obtained, manifestly against law, since the tenant for life could not alienate or forfeit the property of the corporation. But three of the abbots, refusing to surrender, were falsely attainted of treason and put to death. Cromwell sets down memoranda for disposing of them in his notebook; "Item, The Abbot of Reading to be sent down to be tried and executed at Reading with his complices. Item, The Abbot of Glaston to be tried at Glaston, and also to be executed there with his complices. Item, To see that the evidence be well sorted and the indictments well drawn against the said abbots and their complices. Item, To remember specially the Lady of Sar (Salisbury). Item, What the King will have done with the Lady of Sarum. Item, To send Gendon to the Tower to be racked. Item, To appoint preachers to go throughout this realm to preach the gospel and true word of God." The restoration of pure Christianity by such religious reformers as Henry VIII. and Thomas Cromwell is painted in these words.

We have recently seen a dissolution of the monasteries 1866
in Italy. The Italian monks proved content, most of them, to go back to domestic life. To the English monks small pensions were assigned. The houses were unroofed, left to decay, or used as quarries. Their hoary ruins touch us more than their demolition seems to have touched the generation which saw their fall. Treasures

of medieval art, illuminated missals and books, church plate and vestments, the thought of which fills the virtuoso with anguish, were destroyed. Less to be mourned were the shrines of apocryphal saints, the false relics, the winking crucifixes, the wonder-working images, and other stage properties of a fraudulent superstition, English counterparts of the Holy Coat of Trèves, Pilate's Stairs, and the House of Loretto. Thomas Becket was cast out of his sumptuous shrine, the treasures of which went to the king's coffers, while the martyr of church privilege was proclaimed a traitor who had been killed in a brawl. Among the populace this carnival of iconoclasm took the shape of blasphemies and profanation of the Host which were sure to provoke catholic reaction.

The dissolution of the monasteries removing the mitred abbots from the House of Lords, reduced the number of ecclesiastical members from forty-nine to twenty-six, and turned the balance in favour of the lay element, which had been in a minority before.

Of the fund obtained by the dissolution of the monasteries, some was spent in national defences, a small part in the foundation of new bishoprics. Far the greater part became the prey of the king and his minions. The vast estates of noble houses remain monuments of the confiscation, and they bound those houses to the cause of protestantism and a protestant government so long as the conflict lasted. This is the origin, and hence were derived the politics, of the houses of Russell, Cavendish, Seymour, Grey, Dudley, Sidney, Cecil, Herbert, Fitzwilliam, Rich, which replaced the feudal baronage of the middle ages, linked to protestantism and constitutionalism by their possession of the church lands. The effect

was felt as late as the Stuart rising in 1745. Flushed with rapine, the spoilers spared nothing which could be called monastic. Augustinian and Benedictine colleges at Oxford were sequestrated. The tithes, which had been appropriated by the monasteries, were not restored to the parishes but embezzled by the spoilers, and as the property of lay impropriators remain a scandal to this hour. That no public use could have been found for the funds it seems difficult to maintain. Education called for endowment; public works of many kinds, such as roads and bridges, were much needed; so were hospitals, for lack of which in time of plague the people died like flies. At any rate, the taxpayer might have been relieved, and government might have been spared recourse to fraud and extortion. The king had scarcely gathered the wealth of the monasteries into his coffers when he resorted to the extortion of benevolences and the debase- 1545
ment of the coin. Rapacity, though gorged with the plunder of the monasteries, was not satisfied; the endowments of the universities, of the chantries, of the guilds, were at last placed in the king's clutches and were for the moment saved by his death.

Rapine was not statesmanship, nor did it walk in statesmanlike ways. The hour of the monasteries had come, but dissolution might have been gradual. It might have respected local circumstance and feeling. In the wild and ill-peopled north monasteries were still useful as hospices, as almshouses, as dispensaries, as record offices, as schools, perhaps in a rough way as centres of civilization. Their faith was still that of the people; their prayers and masses for the dead were still prized. Their destruction and the religious innovations

of the government brought on a dangerous insurrection
1536 in the north, called the Pilgrimage of Grace, in the suppression of which the government showed its perfidy as well as its savage recklessness of blood.

If, as is reckoned, the number of monks and nuns turned adrift first and last was not less than eight thousand, and ten times that number of dependents were turned adrift at the same time, great must have been the distress. This, with the disbanding of soldiers hired for the wars with France and the discharge of labourers from farms turned into sheep-walks, may account for the prevalence of vagabondage, the bloody vagrancy laws, and the fearful activity of the gallows.

Henry wished to encourage trade, respecting the interests of which he was not without light. But whatever good he did by relaxation of the usury law or by his bankruptcy law must have been more than countervailed by the debasement of the currency. The shilling in 1551 contained less than one-seventh of the amount of fine silver in the shilling of 1527, while the discoveries of silver in Mexico and Peru by the Spaniards lowered the value of that metal, so that a very great rise in prices must have ensued. The result cannot have failed to be ruinous to industry and trade. That after forced loans, the exactions of enormous fines from the clergy, great forfeitures, and the confiscation of the monastic estates, the king should have been driven to resort to debasement of the coin, shows that his waste in palace-building, gambling, and court pageantry must have been enormous. It can hardly be doubted that his rule was, on the whole, materially as well as morally, a curse to the nation.

Theological history belongs to the theologian. Through

the rest of the reign there runs a wavering conflict in the king's councils between the party of the new men, such as Cromwell and Cranmer, which presses religious change, and that of the old nobles, headed by Norfolk, a veteran of Flodden, which, as much from political as religious motives, clings to the ancient faith; while some, like Bishop Gardiner, are in favour of a national church and independence of Rome, but against doctrinal innovation. The king aimed at trimming the ship. Perhaps his average policy, that of secularization and national independence without much change of doctrine or ritual, coincided with the average tendency of the nation. Into the spoliation of the monasteries he goes with all his heart, as he does also into everything which extends his despotism over the church. Under the influence of Cromwell and Cranmer he for a time appears to lean to protestantism, and gives the reins to innovation, though he shrinks from alliance with the thorough-going protestantism of the Germans. He puts forth trimming manuals and injunctions. He allows the people to read the Bible in English, though he afterwards restricts the permission. Presently, being not so much under the influence of Cromwell, alarmed perhaps by catholic insurrection in the north, and governed by the party of Norfolk and the old nobles, he veers round and makes his parliament pass the act for abolishing diversity 1539
of opinion, usually called the Six Articles, re-enacting the cardinal doctrines and rules of Roman catholicism; transubstantiation, communion in one kind, the celibacy of the priesthood, the obligation of vows of chastity, private Masses, and auricular confession. Whoever denied the first article was to be burned as a heretic; breach of any one of the rest entailed, for the first offence, forfeiture of

property, for the second, death. All marriages of priests were declared void; continuance in them was made a felony; so that Archbishop Cranmer, if he kept his wife, would be a felon. It was felony to refuse to go to confession, felony to refuse to receive the sacrament. Latimer and Shaxton, protestant bishops, were driven from their sees. A score of people suffered under this act. The *via media* was kept by sending catholics and protestants together to the stake. To display his learning Henry himself holds a public disputation with Lambert, a poor sectary, in defence of transubstantiation, and failing to convince him, shows his own chivalry by sending his hapless antagonist to Smithfield.

The king's policy was swayed by his matrimonial adventures. Jane Seymour having died after bearing him one son, Cromwell, anxious for a protestant alliance, persuaded
1540 him to give his hand to Anne of Cleves, assuring him that she was a beauty. She proved to be "a Flemish mare." There was a meeting like that of George IV. with Caroline of Brunswick in after days, and convocation, now reduced to complete subservience, was ordered to declare
1540 the marriage void on pretences too thin to be dignified with the name of deceit. Cromwell had overreached himself, and he found what it was to play with a tiger. He had also gone beyond the mark in religious change. His enemies, the old nobility and party of reaction, pounced on their advantage. He fell from favour, and for a slave of Henry to fall from favour was death. Steeped in innocent
1540 blood as well as in robbery, Cromwell died by the knife which he had whetted for the throats of others. To annul the last safeguard of liberty he had obtained from the judges an opinion that an Act of Attainder would hold

good though the accused had not been heard. Under such an Act of Attainder unheard he died, putting up abject prayers for mercy to one who knew not what it meant, and who, when the slave had done his work, slew him as he would have slain a dog. Like a dog Thomas Cromwell deserved to be slain. Even in the height of his power the low-born minister had been treated like a menial, his master "beknaving him once or twice a week, and sometimes knocking him about the pate."

One service the king had done the revolution which none of his waverings or backslidings could cancel. He had authorized an English translation of the Bible and 1536
had put it, though grudgingly, into the hands of the people. The Bible was an authority superior to that of the priesthood to which any layman could appeal, and which the priest could not dispute, though, as he well knew, it was subversive of his system and ruinous to his profession. The birthday of protestantism is the day which put the scriptures into the hands of the laity. The Bible in English is the sheet anchor by which the Reformation will henceforth ride out all reactionary storms.

The fifth wife, Catherine Howard, had no doubt been guilty of incontinence. The husband who sent her to the scaffold was not pure. Her history, like all these matrimonial tragedies, reveals the foulness of the court. The sixth wife, Catherine Parr, kept her head upon her shoulders. According to a current story she was near losing it by heresy, but by adroitly playing on the king's vanity she escaped.

Swollen and soured by disease, the king grew more jealous, suspicious, and bloodthirsty as he approached his end. His fear was for the succession of his infant son,

and he was under the influence of the Seymours, his son's uncles, and the new men. Lord Dacre of the South was
1541 put to death, nominally for the killing of a gamekeeper, not by Dacre himself but by one of his party, in a poaching affray; really to destroy a powerful noble and seize his lands. At last the king's suspicion fell on the Duke of Norfolk and his brilliant son, the soldier and poet Earl
1547 of Surrey. Both were attainted for treason. Norfolk was saved by the king's death; Surrey was murdered. The chief proof of his treason was his assuming the arms of Edward the Confessor in a wrong quarter of his shield. His sister came forward as a witness against him to prove that he had bade her, probably in jest, gain influence at court by flirting, like Anne Boleyn, with the king. Norfolk also spoke against his son. The outrages on natural affection with which this history abounds are not less hideous than the perfidies and murders.

The will of king Henry VIII. instantly requires and desires Christ's Mother, the blessed Virgin Mary, with all the holy company of heaven continually to pray for him, and provides an altar at which daily masses shall be said for him perpetually while the world shall endure. A protestant or a religious reformer he never was; nor had protestantism or the Reformation anything to do with his crimes.

The upshot of his ecclesiastical policy was a state church, severed from the papacy and from the rest of Christendom, with the king for its pope, legislating for it partly under cover of an enslaved convocation, nominating its episcopate under cover of a *congé d'élire*, acting as supreme judge over all its causes and all its persons, regulating its creed, its ritual, and its discipline. The creed

and ritual as finally regulated by Henry were catholic. But by renouncing the head of the catholic church, by destroying the monasteries, by wrecking shrines and images, by abolishing pilgrimages, by giving the people the Bible though in stinted measure, by stripping the priestly order of its immunities and humbling it to the dust, the flood-gate had been opened through which the tide of protestantism was sure to pour. Thus Henry was a protestant in spite of himself. Still the English Reformation under him was monarchical and political. The papal power, which, in countries where the reformation was made by the people or the aristocracy, was abolished, in England was transferred to the king. In the following years, the king being a minor and the monarchy in abeyance, a revolution of doctrine and worship, truly called the Reformation, will ensue.

CHAPTER XVII

EDWARD VI

Born 1537; Succeeded 1547; Died 1553

AUTHORIZED by a servile parliament, Henry VIII. had presumed to treat the kingdom as his private estate, to dispose of it by will, to put the government into the hands of his executors, and even to invalidate national legislation, as a testator might suspend dealings with the estate, during the minority of his heir. The sixteen executors, however, presently doffed that character, donned the ordinary character of privy councillors, and
1547 formed a regency, governing with a parliament under its control. Henry had intended to balance, in the composition of his administrative board, the two parties, the conservative and progressive, or, as he called them, the dull and rash, against each other. But the balance was at once upset in favour of the progressive and rash party, which threw itself into the doctrinal revolution. Again, as during the minorities of Henry III., Richard II., Henry VI., and Edward V., the council becomes the government. That character it will retain under the sovereign when he is regnant, till it gives place to the party cabinet. It will extend its authority from the state to the church and will seek to exercise legislative and judicial as well as executive power.

Henry had willed that the executors should all be

equal in authority, but a head was needed by the government, especially in its foreign relations. With little opposition the young king's uncle, the Earl of Hertford, shortly created Duke of Somerset, made himself Protector, under a nominal engagement not to act 1547
without consent of his colleagues, which the necessities of administration, concurring with his own ambition, speedily set aside. That Somerset was a good soldier his brilliant victory over the Scotch at Pinkie Cleugh 1547
proved, while the war in which that victory was gained showed him to be a bad statesman, since it wrecked the hope of a marriage between the young king and Mary, the heiress of Scotland, and threw Scotland once more into the arms of France. Nor had he the force of character to curb the daring, dark, and restless spirits trained in the rivalries and conspiracies of Henry's court and council.

Edward VI. was a boy of ten, but his marvellous precocity, both of conviction and of intelligence, made him an influence. He had imbibed a passionate love of the reformed religion, and an equally passionate hatred of popery. Had he lived and remained unchanged, the religious revolution would probably have run its full course; his early death, therefore, is one of the critical events of history.

The executors were the true political offspring of the last reign. Their first care was, under pretence of fulfilling Henry's oral bequests, to vote themselves church plunder and higher titles. They not only laid their 1547
hands upon the chantries in which Masses were said for souls, the religious funds of trade guilds and everything which retained the odour of a catholic foundation, but upon the estates of the bishoprics and cathedral

chapters, some of which were mercilessly pillaged. The Protector led the rapine and built for himself a palace in the Strand, destroying churches to make room or furnish materials for it. Each of these confiscations bound the new-born aristocracy more closely than ever to the religious revolution.

The religious revolution advanced. It was guided by Archbishop Cranmer, who played the part of a minister of public worship. The primate had by this time pretty well got rid of the remnants of catholicism which long hung about him; above all, of his belief in transubstantiation, the keystone of the catholic faith and system. He had at his side Latimer and Ridley, the first a rough English Luther, full of homely force and valour, though less eminent for discretion; the second like Melanchthon, a learned and temperate, yet thoroughly protestant divine. Bishops Gardiner and Bonner, the leaders of the reactionary party, refusing or evading compliance with the policy of the government, presently found them-
1547 selves in prison, where at the end of the reign both of them were. Wriothesly, a catholic, was removed from the chancellorship. To give protestantism free course,
1547 the Act of the Six Articles was repealed. Royal commissions went their rounds to extirpate all relics of
1549 popery, such as the images of saints and their effigies in painted windows; to see that the Bible was read, that protestant doctrine was taught, that clergymen preached instead of performing the magic rite of the Mass, that instead of the festivals of the saints in the Roman calendar the Sabbath was observed. The traces of such commissions, in the wreck of sculptures and painted glass, lovers of church art still view with sorrow.

The bishops were made to take out official patents as servants of the crown, holding their places during the king's pleasure, while the forms of episcopal election were abolished, and an end was thus made of any claims to independent power founded on apostolical succession. Hooper, when appointed to a bishopric, refused even to be consecrated in the episcopal vestments, which he deemed rags of popery, and to overcome his scruples strong pressure was required.

Henry VIII. had shrunk from alliance with the German protestants. The new government stretched out its arms to them, treated their churches as in full communion with that of England, brought over two of their divines, 1548
Bucer and Peter Martyr, to help in the English Reformation, and took the advice of Calvin. Calvin's doctrine, not only respecting the eucharist, but respecting the general relation of man to God, is more thoroughly opposed even than that of Luther to belief in sacerdotal mediation. It became, and for some time remained, the doctrine of the English Reformation. High churchmen still shudder at the name of the Lambeth Articles, drawn up in 1595
the next reign but one by an episcopal conclave for adoption by the church and embodying Calvinism in its extreme form.

Cranmer meanwhile was engaged in the compilation 1549
of an English and protestant liturgy. His work was largely a translation of the Roman offices, yet with only so much of the old doctrine and sentiment left as might in some degree temper change to the catholic soul. His singular command of liturgical language enabled him to invest a new ritual at once with a dignity and beauty which gave it a strong hold on the heart of the wor-

shipper and have made it the mainstay of the Anglican church. Its substantial protestantism, while, out of tenderness for the feelings of catholics, it retained traces of catholic ritual, was more marked in a second version than
1549 in the first. An Act of Uniformity imposed this liturgy
1551 on the national church. Articles of Religion, thoroughly protestant, so that the Neo-catholicism of our day struggles with their adverse import, were framed as the manifesto of the Anglican Reformation, and were accompanied by a set of homilies, in which, if fasting is retained, it is founded partly on the expediency of encouraging the fish trade. The eucharist became a commemoration. The altar became a communion table. Absolution, instead of an act of the priest, became a declaration of the mercy of God. Worship, instead of sacrifice, became common prayer. The seven sacraments were reduced to two. The cup was given to the laity. The chancel-rail, which had parted the priesthood from the people, was morally removed. The clergy were re-united with the laity by permission to marry. With clerical celibacy departed monastic vows. Purgatory was discarded, and with it prayers for the dead. The mystical Latin gave way, as the language of worship, to the vulgar tongue. The place of the Roman calendar with its saints-days was taken by the Calvinistic Sabbath. Crucifixes, images of saints, pyxes, chalices, holy water, disappeared. Pilgrimages ceased. The whole catholic and medieval system, in short, was swept away, and replaced by the protestant system so far as law could do it. Law could not reach the hearts of the people, masses of whom in the more backward parts of the kingdom, though they might be willing to part with papal supremacy and more than willing to part with the

courts ecclesiastic, clung to the ancient faith, and still more to the ancient forms. The shape of the edifices, too, adapted for Mass, not for common prayer and preaching, continued to protest against the substitution of common prayer and preaching for the Mass. The sudden transition could not fail to involve wide-spread disorder, profanity, and confusion.

All this was done by the government without deference to convocation and, as subsequent events show, against the wishes of the great body of the clergy. Deference was paid to the authority of leading divines, foreign as well as English, but only as to that of experts and by way of supporting acts of government. Convocation henceforth has no independent power. The crown and parliament are now, and with a brief and doubtful interlude will remain, the supreme legislature of the church as well as of the state. What was afterwards called the Erastian principle is practically established as the principle of the English polity. The power of the priest, though not the political influence of the church, receives its death-blow. The church of England becomes in fact a department of the state.

Meanwhile the clergy, having refused to unite with the other estates in parliament, had, on account of their supposed representation in their own assembly, been practically excluded from the House of Commons. The bishops alone, by virtue of their baronies, retained seats in the House of Lords, where since the abolition of the abbacies they had become a weak minority. Thus the clergy, while they lost their power as priests, forfeited part of their privileges as citizens. A shadowy relic of priestly immunity from secular jurisdiction and at the

same time of clerical monopoly of learning, benefit of clergy, lingered with relics of wager of battle and compurgation down to the present century in English law.

To complete the ecclesiastical polity, it was proposed to frame a new code of ecclesiastical law, substituting a rational and protestant discipline for the Roman penitentials, and regulating in the same sense the jurisdiction of the ecclesiastical courts. The project did not take effect, but of the spirit in which it was framed we may judge, since we know that it would have treated marriage no longer as a sacrament, but as dissoluble, and would have provided for divorce.

The Acts against the Lollards were repealed. So far toleration advanced. But heresy was still a crime and Anabaptists were still burned. Their rising in Germany
1523–5 under Munzer had branded them with anarchy, political
1550 as well as religious. The fate of Joan Bocher has excited peculiar pity and has cast a deep shadow on the fame of Cranmer, who, however, seems to have been responsible only as a member of council and its adviser in ecclesiastical affairs. Protestantism, the religion of private judgment and an open Bible, knew not yet of
1553 what spirit it was. Of this the burning of Servetus by Calvin was a hideous proof. But it is not just to compare the execution of Anabaptists or Jesuits, few in number and partly on political grounds, or the death of Servetus, to the fires and torture-houses of the Inquisition. Protestantism has long since abjured persecution and deplored the burning of Servetus. Romanism, in
1864 its latest utterance, the Encyclical, re-asserts the fundamental principle of persecution, and it has never deplored or renounced the acts of the Inquisition.

Out of the spoils of the church, Christ's Hospital and 1553
some grammar schools were founded in the name of the young king. This was not much, but it showed the spirit of the movement. Protestantism has generally forwarded, Roman catholicism, when left to itself, as in Italy and Spain, has generally discouraged popular education. The open Bible, if it was not free thought, was an appeal to reason. A day when the religion of the open Bible would conflict with free thought might come; but it was in the distant future.

By the progressive inhabitants of the towns the Reformation seems to have been generally embraced, or at all events received with submission. The less quick-witted country folk clove to the celibate priesthood, to the magical sacraments, to the mystical Latin of the old liturgy, to the intercession of the saints, to the comfortable anodyne of confession and absolution. So, under the Roman Empire, while the cities became Christian, the country folk clove to the old gods. The dull flame of peasant disaffection, we may be sure, would be fanned by the parish priests, who, apart from the shock to their sentiments, the depression of their order, and the spoliation of their church, would, as Mass-priests, be unsuited to the duties of a pastor, which, under the new system, they were called upon to perform. Among the simple and ignorant peasantry of the west of England there broke
out a rebellion like the Pilgrimage of Grace. Exeter, 1549
which held out for the government and the Reformation, was besieged and nearly taken by a peasant army. It was with difficulty that the bankrupt and discredited government raised forces to cope with the insurrection. The day was turned at last against the rustic scythes

and pitchforks by the arquebuses of German and Italian mercenaries whom the government was fain to bring into the field, and by whose intervention as foreigners in a struggle between English parties its popularity was not likely to be increased. The victory was signalized by the hanging of priests from parish steeples with mass-books round their necks.

In the east of England, where the people were not so primitive, there was little religious reaction, but the government had there to contend with a dangerous insurrection arising from a different cause. The age was one of economical and industrial as well as of religious revolution. Organization was giving place to competition, as the principle of industrial life. In the cities there seems to have been an exodus from places where industry was shackled by the rules of the old guilds and their oppressive system of apprenticeships to places without guilds or charters, where labour and trade were free. In the country it was the period of the final transition from the old manorial system to the modern and essentially commercial system of land-ownership with hired labour. The landlord was enclosing the common, by pasturing on which peasants had eked out what was probably a poor and laborious existence. The small holdings were being thrown together into large farms, which paid better. Sheep farms especially were profitable, from the great demand for wool and the small amount of labour required. The displacement of the little homestead by the sheep-fold is the great subject of complaint at this time. Latimer bewails the destruction of his father's homestead and its old-fashioned counterparts. Efforts were made to protect the plough by legis-

lation; they were evidently ineffectual, and served only to sing the dirge of the old system with its relations and its reciprocal duties. The decay of husbandry which the legislature deplored might be a change, ultimately, for the better. The loss of population might be only a displacement. The transition might be inevitable. But transitions, though inevitable, are cruel, and there could not fail to arise a bitter antagonism between the evicting landlords and the evicted tenants. The land-owner had not yet assumed, in place of his duties as a feudal lord, his duties as a squire.

"When I consider and weigh in my mind all these commonwealths which nowadays anywhere do flourish, so God help me, I can perceive nothing but a certain conspiracy of rich men procuring their own commodities under the name and title of the commonwealth. They invent and devise all means and crafts, first how to keep safely, without fear of losing, that they have unjustly gathered together, and next how to hire and abuse the work and labour of the poor for as little money as may be. These devices when the rich men have decreed to be kept and observed under colour of the commonalty, that is to say, also of the poor people, then they be made laws." So wailed More in his Utopian days, with Utopian exaggeration, but probably not without basis of fact. These ideas were working then as they are now and as they were in the days of Wat Tyler. They had assumed a terrible form in the outbreak of communism and anarchism at Munster under John of Leyden. 1533–1535

In Norfolk the peasantry rose under Robert Kett, a man of substance, no John of Leyden, but apparently a well-meaning and humane reformer. They made them- 1549

selves masters of Norwich, where they found sympathy, and near which they formed a great camp, with Kett's insurrectionary tribunal, the "oak of justice," in the midst of it. Under the oak of justice they brought offending landlords to trial. They broke down enclosures and killed the deer in the parks of the gentry. Yet they committed no such atrocities as had been committed by the insurgents under Wat Tyler. The government, after a trial of their strength, was sufficiently impressed with it to open negotiations; but mutual mistrust prevailed. The end was a pitched battle in which the discipline and arquebuses of the foreign mercenaries, whom the government again brought into the field, once more prevailed over rustic strategy and arms. Executions followed of course, and Kett, for struggling against economical des-
1549 tiny, swung in chains from the castle tower, while his brother William swung from the steeple of his parish. A rigorous law against riotous assemblages for the pur-
1549 pose of breaking enclosures crowned the victory of the gentry and the government.

Incident to economical transition was the growth of pauperism. That doleful history has begun. The slave or serf in destitution or old age may look to his master for support; the independent labourer must shift for himself, and when first turned loose he might be almost as little capable of self-support as the emancipated slave. The conversion of plough-land into sheep-walk must have cast many farm-hands adrift; so must the dissolution of the monasteries; so must the reduction of the feudal trains; while the debasement of the currency by disorganizing industry and trade would be sure to aggravate the evil. Tramps multiplied and became a pest, often,

no doubt, adding outrage to mendicity. The government swelled their number by disbanding the soldiers whom it had hired for foreign wars. It then tried, under Henry VIII. and again in the present reign, to repress 1547
vagabondage by savage vagrancy laws, rising in their 1549
cruelty from flogging and branding to slavery, to working in irons, even to death, while thieves were sent to the gallows twenty in a batch "They be cast into prison," says More in his "Utopia," "as vagabonds because they go about and work not, whom nobody will set to work, though they never so willingly proffer themselves thereto." The Tudor vagrancy laws hideously depict the attitude of the rich towards the poor in days glorified by some as those of healthier relations and a higher social ideal.

Honest destitution was, at the same time, not unrecognized. An attempt was at first made to relieve it by means of a system of voluntary contributions in each parish. But voluntary contribution, however enjoined by the government and preached by the clergy, was an ineffectual substitute for a regular poor law.

The Protector favoured the cause of the poor. He is interesting as the first English statesman who took that line. He went so far as to put forth a manifesto rebuking the gentry for their covetous encroachments on the peasants' rights and recalling them to their social duty. "To plant brotherly love among us, to increase love and godly charity among us, and make us know and remember that we all, poor and rich, noble and ignoble, gentlemen and husbandmen, and all other of whatsoever estate they be, be members of one body mystical of our Saviour Christ and of the body of the realm," — such was

the social policy of the Protector, as set forth in his commission of reform. Whether his motive was genuine sympathy with the peasantry, personal ambition, or a mixture of the two, we cannot say. Sir William Paget, the shrewdest statesman of the day, in a letter to him complains that the king's subjects were "out of all discipline, out of obedience, caring neither for Protector nor king, and much less for any other mean officer." "And what is the cause? Your own lenity, your softness, your opinion to be good to the poor; the opinion of such as saith to your Grace, 'Oh! Sir, there was never man had the hearts of the poor as you have. Oh! the commons pray for you sir, they say "God save your life."' I know your gentle heart right well, and that your meaning is good and godly, however some evil men list to prate here that you have some greater enterprise in your head that lean so much to the multitude." It is certain that Somerset's head had been somewhat turned by his elevation. He had addressed the king of France as "my brother." Paget complains that he is testy and will not listen to advice. In vain Paget, like one bred in the school of strong government, conjured him to call out his Almains and take the work of repression into his own hands, assuring him that by doing so he would lose no popularity that was worth keeping. Somerset stood irresolute, only showing his sympathy with the commons enough to incur the hatred of the aristocracy and set them conspiring for his destruction.

The council had apparently been from the outset little better than a knot of viperine ambitions. The first to conspire against the Protector was his brother Seymour, high admiral of England. Seymour's aim, apparently,

was to make the princess Elizabeth his wife and perhaps to place himself beside her on the throne. This mad scheme certainly led him into treasonable practices, and 1549
his execution reflects no discredit on the Protector, who showed natural feeling on the occasion. The next con- 1553
spiracy was more formidable. It was headed by Dudley, Duke of Northumberland, son of Dudley the fiscal myrmidon of Henry VII., and heir of his father's character, who also had designs upon the crown. The Protector's display of sympathy with the commons, and the offence given to the aristocracy by his democratic manifesto, combined with the general disorders of government, afforded Northumberland an opening. A cabal was formed in the council, before which the Protector fell. He rose again with dimmed splendour and diminished authority. But Northumberland persevered. Somerset was again arrested on charges, transparently fictitious, of treason and felony. In order probably to give murder a colour of justice, he was acquitted by the peers who tried him on the charge of treason, but found
guilty of the felony. By the people, whose idol he still 1551
was, his acquittal, which, seeing the axes turned from him as he left the court, they supposed to extend to all the charges, was hailed with a burst of joy. The young king in his diary makes a dry entry, which is taken as a proof of his want of feeling. He was probably deceived as to the facts, and, even if he knew the truth, his pen may not have been free.

Something was gained during the reign by constitutional liberty. The treason law of Henry, which had been enlarged by a servile parliament into an unlimited warrant for the destruction of the king's enemies, was

1547 swept away, and the law of Edward III. was restored.
1552 Other new-fangled treasons were afterwards added; but instead of conviction or attainder without evidence in cases of treason, it became law that two witnesses should be required and that they should be confronted with the accused. This Act ended a legal reign of terror. The statute which gave royal proclamations the force of law, and that which empowered a king on coming of age to cancel laws made during his minority, were also repealed, and the legislative authority of parliament was thus, in principle at least, restored. Nor were there during this reign any benevolences or forced loans. On the other hand, there was repeated and scandalous robbery of the subject by the continued debasement of the currency, of which Henry VIII. had set the example. The flight of sound money, the derangement of prices and wages, and the sufferings consequent on the demoralization of industry and commerce, were the inevitable results of this fraud, while scandalous gains were made by members of the government who got the mint into their hands. A standing army of foreign mercenaries was introduced, and the gendarmerie, as it was called, in London amounted to nine hundred men.

CHAPTER XVIII

MARY

Born 1516; Succeeded 1553; Died 1558

IF any statesman, or historian emulating statesmen, thinks that good will come of doing a moderate amount of evil, let him consider what all the fraud, lying, hypocrisy, and murders of the government of Henry VIII. did towards settling the succession to the English crown. The only son, born after all that labour of infamy, was dead. Both his sisters had been bastardized, and upon their demise the question was open between claimants by descent and claimants under the will of Henry VIII., whose title, created by the Act of a single parliament, conflicted with the established custom of the realm. As to the Reformation, which, as well as the succession, is supposed to have needed the service of iniquity, it was now about to fall into the hands of the daughter of the divorced wife, exasperated against it by her mother's wrongs and by her own.

The headship of the nation, once elective, had been so far converted into the heritable property of a family as to admit what John Knox still denounced as the monstrous regiment of women.

The death of Somerset had deprived the protestant party of the one man who, with all his faults and errors, had gained something like a national leadership, and

might have controlled the situation. To save the religious revolution there was but one way, to set aside Mary, send her back to her cousin the Emperor, and resettle the succession by Act of parliament on a protestant heir. This, though hardly possible in face of the general belief that Mary was the lawful heiress, and of the discredit into which the protestant government had fallen, might conceivably have been done. There could be only one end to the attempt to make the dying king exercise a power, which no one believed him to possess, in favour of Lady Jane Grey, or rather of her father-in-law, Northumberland, under her name. Jane, granddaughter of Mary sister of Henry VIII., was postponed by his will, sanctioned by parliament, to his daughters Mary and Elizabeth. Cranmer, by complying with the plot, once more showed his weakness. Northumberland's usurpation failed, as it was sure to fail, and brought the assassin of Somerset to his merited doom, while his wretched recantation of protestantism under the terrors of death showed what sort of leader the cause had, and what sort of ruler the realm would have had in him. Not only was there a national feeling in favour of the rightful heir, which Northumberland's government by persecuting Mary had enhanced, but there was a general reaction against the revolutionary violence in matters of religion which had marked the reign of Northumberland as well as that of Somerset. Tired of iconoclasm, which was often attended with profanity and disorder, most of the people were not unwilling to be led back to the ancient paths.

"Bloody Mary" was a good woman spoiled by circumstance and religious superstition. Apart from her Spanish blood and her own tendencies, how could the daughter

of the injured Catherine of Aragon have been anything but a bitter enemy of the Reformation? She was not cruel by nature. She had at first spared Lady Jane Grey and Guildford Dudley. She would have shed very little blood upon the scaffold had not the rebellion of 1554
Carew and Wyatt shaken her throne and driven her, according to the notions of policy which then prevailed, to measures of severity. Her religious persecutions did not spring from thirst of blood, but from her passionate desire to bring back her subjects to the only religion which could save their souls, and the belief, which she shared with the most enlightened men of her time, that it was right, and her bounden duty, to use her power for that purpose. Untrue to us, her religion was true to her, and she must be judged by a standard which in those days superstition had falsified alike for all. Nor does she seem to have been naturally despotic. She wished to act with parliament, and rejected with indignation the suggestion that on the quibbling pretext that statutes applied only to kings, not to queens, she should set herself above the law. Her reign opened in a popular 1553
way with the remission of taxes and the abrogation of new-fangled treasons, the latter, no doubt, mainly in the interest of catholics, and notably of the exiled Cardinal Pole. Hatred, which in the end she too well deserved, has made of her an ogress. The truth seems to be that she was well educated, amiable in her manners, and, though meagre, not unlovely, until she was made haggard by disease and grief. Amidst the severe trials which she had undergone from the ire of her despotic father, the spite of his second wife, and the vexatious attempts of her brother's government to force her into conformity

with the royal religion, she had borne herself well. She had on her side the hearts of the great majority of the people, as well as the relic of the old nobility, which had remained hostile to revolution. Protestant government had not shone under Somerset, much less under Northumberland. Politicians like the extremely able Paget, who believed little in religion of any kind, and cared less for any form of it, would think only of a peaceful succession and a stable government; and of these Mary's name was the pledge.

1553 There followed a counter-revolution in religion. The parliament through which it was effected was no doubt packed for the crown. Still, the ease with which catholicism was restored throughout the country seems to show that protestantism had gained no strong hold upon the mass of the people. It was probably almost confined to the towns. To the clergy generally the return from protestantism to catholicism was no doubt welcome. Protestant bishops were ejected from their sees; catholic bishops were reinstated. Gardiner and Bonner came out of prison in triumph to put themselves at the head of the reaction. Foreign protestants were expelled. The body of Peter Martyr's wife, who had been buried in the cathedral at Oxford, was dug up and cast upon a dunghill. Of the English reformers many fled to the city of Calvin. Cranmer stayed at Lambeth meekly awaiting his fate, which came to him in the shape of attainder for treason in attempting to give the crown to Jane Grey. The Mass and the whole catholic system of worship, doctrine, and discipline were restored. Catholic visitations undid, as far as they could, what protestant commissions had done; the ravages made in

images, painted windows, and shrines by the hammer of protestantism they could not restore. Married bishops and clergy were summarily expelled. The ecclesiastical legislation of the last reign was bodily swept away. The statute for the burning of heretics was re-enacted. 1554
The impious title of supreme head of the church was renounced by the queen. The supremacy of the pope was again recognized, and the gate of the realm opened to his missives. In defiance of the statute of Præmunire, Cardinal Pole was received as the pope's legate. 1554
He came in triumphant ecstasy to reconcile England to Rome. This he did at a solemn assembly of parliament, and having done it he pronounced the papal absolution. So far reaction swept the field. But the Reformation, though it had not been national as a doctrinal movement, had been national as a revolt against clerical tyranny and against the intrusive despotism of a foreign power. Foreign to England, and in a measure to all nations but Italy, the papacy has been. To the Teutonic nations it was more foreign than to the Latin. On this line something of a stand was made by Paget and other politicians, who, though they might not object to transubstantiation, did object to priestly or papal rule. Even Gardiner, though the leader of the doctrinal reaction, was in his way patriotic, and did not wish to see England under the feet of Rome. He had not only acknowledged the royal supremacy under Henry VIII., but had written in vindication of it. On another point the pope and his representative encountered a resistance which was not to be overcome. The new proprietary absolutely refused to part with the church lands, and made its secure retention of them

an indispensable condition of its assent to the catholic restoration. It thus in effect sold the national religion for a quiet title to its own acres. Quieted formally and by law, ecclesiastical as well as civil, the title now was; yet, so long as catholic sentiment prevailed, it was clouded by sacrilege, and a bond thus remained between the owners of the church lands and the protestant cause.

Monasticism, the mainstay of the religious reaction, had received its death-blow in the dispersion of its votaries, the confiscation of its estates, the demolition of its dwellings. Little was done towards its restoration when three monasteries were refounded by the queen.

Whatever reactionary laws or governments might do, the English Bible remained, and while the English Bible remained all efforts to stamp out protestantism were vain. In one other all-important respect the work of Henry VIII. and his executors continued in force. This counter-revolution was, like the revolution, practically brought about by the secular power. It followed upon a demise of the crown. The state retained its virtual supremacy over the church.

That application of the hereditary principle which places a woman at the head of the state exposes the state to the chances of her marriage. Bishop Gardiner would have had the queen marry an Englishman. Her marriage
1554 with Philip of Spain lost her the heart of the nation. It aroused a jealousy, which neither Spanish diplomacy nor Spanish gold could appease, and which the character of Philip, a type of the bigotry and haughtiness of his race, was not likely to allay. The wording of the marriage treaty, securing the independence of England, was strict; but, as a bold member of the House of Commons said, if

the agreement was broken, who was to sue upon the bond? The immediate consequence was Wyatt's rebellion, and 1554
though this was repressed, and the queen gained by her courageous bearing on that occasion, she was henceforth, as the bride of Spain, fatally estranged from her own people.

Now, as afterwards in the reign of James II., all depended on the birth of an heir. The passionate yearnings and prayers of Mary for offspring, her distracted hopes, and their tragic disappointment will hardly seem fit subjects for mockery to a generous heart. It is something of a tribute to her honesty that there seems to have been no fear of a warming-pan, such as there was in the case of James II. Chagrin caused by her barrenness, by the coldness and absence of her husband, and by the national hatred which she must have felt to be gathering round her, appear to have combined with disease in giving her character a turn for the worse. At all events, she devoted herself with her whole soul to the extirpation of heresy and the restoration of her realm to the true faith. The means which she used, hideous as they were, were prescribed to her by law and sanctioned by the almost universal sentiment of the time. Cranmer had been a party to the burning of Anabaptists, and Latimer had preached a sermon when the catholic Father Forest was 1538
put to a death of torture by swinging him in an iron cradle over the flames. We may well allow that Mary believed herself to be doing God's work, and a work not of cruelty but of mercy. It is the easier for us to admit her plea since her policy was fatal to her cause. It brought her into mortal conflict not with the law or with theory, but with humanity in the hearts of the people.

In the Marian persecution there were burned, according to the received authority, five bishops, twenty-one divines, eight gentlemen, eighty-four artificers, a hundred husbandmen, servants, and labourers, twenty-six wives, twenty widows, nine unmarried women, and four children. In this roll of martyrs the gentry are poorly represented, the aristocracy not at all. Probably not a single holder of abbey lands died for the cause to which he owed them. It was hard for a rich man to enter by fire into the kingdom of heaven. Cranmer's weakness, as has been acutely remarked, excited public pity probably even more than the unshaken courage of Hooper, Latimer, and Ridley. It showed how terrible was the trial. Near the spot where Cranmer, Latimer, and Ridley suffered, triumphant protestantism raised in our century a monument to their memory which revived catholicism compared to the pile of stones heaped upon Achan.

By Gardiner, an ecclesiastical martinet, the signal for persecution seems to have been given; but its cruelty was ascribed by popular opinion, which is not likely to have been wrong, to Bonner, noted for his brutality, whose diocese furnished the largest number of victims. On parliament rests the responsibility of reviving the heretic-burning laws. The queen herself undoubtedly urged on the holy work of extirpating heresy; probably she was the chief mover; but her council must share with her the blame. The Spaniards had little to do with the religious atrocities, though they were true to their character in pressing measures of political ferocity, such as the execution of Jane Grey, and would, probably, if they could, have had Elizabeth put to death. Charles V. was not fanatical, nor were statesmen bred in his school. Their

hatred of heresy was political, and they were wise enough to see that the Spanish marriage and the stake at the same time were too much. A Spanish friar was put up to disconnect them and Philip from the persecution by preaching against it. A literary worshipper of Henry VIII. has cast the blame on Pole. Stung to the heart by Henry's conduct in rending the seamless garment of Christ and shedding the blood of Fisher and More, Pole had written with violence and had acted with indiscretion. He seems to have been a man of sensibility and impulse, but he was no bigot. For a catholic and a cardinal he was liberal, a friend to reconciliation and comprehension, a believer in the Lutheran doctrine of justification by faith, an opponent of the Jesuits. The suspicion of Lutheranism still clove to him, and he was mistrusted and his legateship was 1557
at last cancelled by the fanatic Paul IV. He publicly told the clergy that the best way of reclaiming the people was not by measures of severity, but by reforming their own lives. On one occasion he let go with a mere submission twenty-two heretics whose case had been laid before him by Bonner. He believed that the burnings were lawful, and he might at last be led to show zeal in the execution of the law by a sense of his own position as a suspected liberal and the object of mistrust at Rome. It has been insinuated that he had Cranmer burned in order that he might take possession of the archbishopric. Cranmer, having been attainted of treason by the state and degraded by the church, was civilly and ecclesiastically dead, and could no longer stand in Pole's way. The burnings were confined to the south and east of England. Tunstall, Bishop of Durham, to his lasting honour, refused to take any part in them. It is

true that the north was still mainly catholic, and that in Tunstall's diocese not many victims would have been found. The martyrdoms purged protestantism in the national mind of the stain which it had contracted under the misgovernment of Edward VI.

The epithet which has clung to Mary's name, if not in its obvious sense deserved by her, is a sign of that hatred of bloodshed which is a happy part of the character of the English people. Her misfortunes, as she would think, her sins, as her people thought, were crowned by the loss of
1558 Calais, the name of which she was patriotic enough to say would be found engraved upon her heart when she was dead. The loss which forever closed to English ambition the gate of conquest in France was a great gain in disguise.

CHAPTER XIX

ELIZABETH

BORN 1533; SUCCEEDED 1558; DIED 1603

AFTER Mary, her Spanish husband, and her persecutions, the accession of Elizabeth came like sunrise after the murkiest night. The peril to which she had been exposed, especially after Wyatt's rebellion, when the Spaniards sought her blood, had more than ever endeared her to the nation. Her youth, her good looks, her high spirit and princely carriage, with her mental accomplishments, which were remarkable, awakened an enthusiasm of which she had the tact to make the most.

A writer, who, before he had studied the history of Elizabeth, spoke of her as "the great nature which, in its maturity, would remould the world," having studied her history, can only speak of her as a little figure at the head of a great age, and has to admit that her policy everywhere was "partial, feeble, and fretful," that "wherever her hand is visible there is always vacillation, infirmity of purpose, and general dishonesty," while where her subjects act for themselves the opposite qualities appear. False and perfidious she was, heartless and selfish, capable at times of hateful cruelty, possessed with a vanity such as could hardly dwell in the same breast with greatness, to say nothing of her indelicacy and at least one darker stain, for if she was not criminally cog-

nizant of the murder of Amy Robsart, she certainly prompted to the assassination of Mary queen of Scots. Yet Elizabeth, in spite of all revelations and dissections, keeps the title of the Great Queen. Writers again bestow it upon her after recounting the proofs of her littleness. They say, with scant justice to her sex, that, after all, she had only the faults of a woman. She had the sense to keep good counsellors, though she preferred to them unworthy favourites and sometimes treated them with base ingratitude. She had remarkable arts of popularity when she chose to exert them. She had a queenly bearing tempered with condescension. She had personal courage which was needed in an era of assassination. She knew how to identify herself with the nation. Her sex in a chivalrous age made her the object of a devotion which was enhanced by her danger. The nation in its mortal conflict with catholic enemies felt itself impersonated in its queen. Something also her reputation gained from the contrast of her reign with the political troubles which followed, albeit of those troubles her self-will was in part the cause. The illusion was strong. It was strong enough in her lifetime to make men fancy themselves, or at least say that they fancied themselves, in love with a virago who spat, swore, and cuffed; and this when she was past middle age and the last traces of her youthful comeliness had fled. But those who still call her great, if they do more than pay tribute to custom, have before their mind's eye, not the figure of the queen in the grotesque trappings of her vanity; but the figures of Burghley and Walsingham, of Sir Philip Sidney and Sir Walter Raleigh, of Shakespeare and Spenser, of Drake and Frobisher, of the heroic mariners

of England returning from the attack on Cadiz or the victory over the Armada.

A young queen was fortunate in having already at her side so wise a counsellor as Cecil, presently made Lord Burghley. To Cecil were then, or afterwards, added Sir Nicholas Bacon, lord keeper, and Walsingham, with other ministers and diplomatists of the same school, such as Knollys, Randolph, and Davison. To say that these men opened the line of English statesmen would be too much: Morton, Fox, and Wolsey fully deserved the name; yet as a group there had been nothing like them, and they were wholly devoted to the country, while their ecclesiastical predecessors had steered the vessel of state with one eye fixed on Rome. The offspring of revolution, trained amid intrigue and conspiracy, they had learned to read men and to walk with a sure foot in slippery paths. They had seen and accepted too many changes of religion to be enthusiasts on either side, or allow bigotry to cross their policy. To them protestantism was the religion of England, catholicism was the religion of her foes. Burghley was at the head of the government, and perhaps he was not the less qualified for that post if he was rather sagacious, firm, and wary than a man of commanding genius. But the pilot who weathered the storm was Walsingham, a man supremely able, absolutely devoted to the public service, and ready to sacrifice to it not only all interests and lives that stood in its way, but almost his own soul. He was, in fact, an austere and puritan Machiavel. He did not scruple to adopt the enemy's weapons, and he was the artificer and operator of the espionage which penetrated and baffled the counsels of the Jesuits and the Guises.

The labour of these men must have been great. We hear of them as sitting in council from eight in the morning till the dinner hour, and then till supper time. Their correspondence was very heavy. On the other hand, they had no demands of the platform to meet, and comparatively little trouble with parliament or the press. Their councils were deliberative in a different sense from those of a parliamentary debating club speaking to reporters. Such of them as were not favourites were ill paid. Walsingham left not enough to pay for his burial. Burghley had private wealth.

First came another counter-revolution, which proved a final settlement, at least for two generations, in religion. Had Elizabeth been born a catholic, a catholic she would have remained. A ritualist she was. In her chapel, to the scandal of hearty protestants, stood the crucifix with the lighted tapers before it. She disliked married clergy, and treated their wives with the insolence which always lay beneath her gracious airs. She announced her accession to the pope, and although this might be a politic compliment paid by her advisers to catholic opinion, it was probably in full accordance with her own leanings. Apart from her ritualistic tastes, the natural sympathies of a sovereign, and a sovereign full of her sacred right, could not fail to be, like those of sovereigns generally, with the religion most congenial to authority. But the daughter of Anne Boleyn had been born under the ban of the papacy. Bastard as she was in the eyes of Rome, her only title to the crown was anti-papal, while there was a claimant at once papal and legitimate in the person of Mary queen of Scots. Elizabeth's part was decisively cast for her when the Vatican not only

repelled her overtures, but in course of time deposed her 1570
and absolved her subjects from their allegiance. Whether she would or not, the queen of England became the head of the protestant cause in Europe.

Once more the authority of the pope was renounced and his power was retransferred to the crown, though the queen did not, like Henry VIII., assume the title of the head of the church, but was content with the declara- 1559
tion that she was over all persons and in all causes, as well ecclesiastical as civil, supreme. Once more the Mass was abolished and prohibited. Once more the whole sacerdotal system, of which the Mass was the centre, with monasticism, purgatory, saint-worship, was swept away. Once more the protestant pastorate took the place of the Roman priesthood. The protestant Articles of Ed- 1563
ward VI. were repromulgated, with slight variation, as the standard of faith. The English Prayer Book of Edward VI. again supplanted the Roman ritual, with 1559
the wise omission of anti-papal passages specially offensive to the catholic ear. Clergymen were again practically licensed to marry. Auricular confession, if it was not abolished, was discontinued. To Rome and her liegemen, at all events, it was made clear that England was once more protestant.

Of the protestant character of the Articles there can be no doubt, and it is to them surely, as an original manifesto, not to the liturgy, where the object of the compiler was to retain as much as possible of the customary and familiar, that we must look for the doctrine of the church. In the liturgy, however, there remained enough, if not of catholicism, of ritualism, to give it the air of a compromise at the time and make it a store of argu-

ments, or pretexts, for the revival of catholicism in the Anglican establishment at a later day. The name "priest" was retained, and its former associations lingered with it. The catholic vestiary was not wholly discarded. While the confessional was swept away, something like the practice of auricular confession, in which the catholic soul had found comfort, was retained, at least in a permissive shape. But it is in the form of administering the eucharist that the spirit of compromise most plainly appears. There we have two pairs of sentences, the first sentence in each of which embodies, not indeed the doctrine of transubstantiation, yet the sacrificial view, while the merely commemorative view is embodied in the second. Kneeling at the eucharist was retained.

To the shrewd and worldly statesmen of Elizabeth such a compromise, no doubt, seemed profoundly wise. They thought, not without apparent reason, that, something being left of the old forms of worship, some quarter even being given, in the liturgy, if not in the Articles, to the old creed, the parish church, with its chimes, font, and graveyard, the immemorial centre of social as well as religious life, would retain its charm for the mass of the people, and the upshot would be general acquiescence in the national religion. But the sequel showed that the domain of compromise is interest, not belief. Neither catholic nor thoroughly protestant, the establishment was cut off from both sources of religious zeal. When in after times sap returned to the tree, it was either from the catholic source, as in the era of Laud and afterwards of the Oxford movement, or from a protestant source, as in the case of the Puritans or of the evangelical party, Methodists within the pale; and with the disturbance

consequent on irruption from without. The attractions of a religious kind which the establishment had were antiquity, dignity, gentility, tradition, a degree of ceremonial suited to Anglo-Saxon taste, and the social influences of the parish church. Great Anglican writers were coming to give these attractions their full force.

The policy of religious compromise, however, might have been more successful had not catholic non-conformity been sustained, hallowed, and inflamed by Rome and the emissaries of Rome. For catholicism, on the verge of destruction, had rallied round its centre, had in some measure reformed itself, had renewed its force, and entered on the second, the Ultramontane, era of its existence. Jesuitism had come to its aid, and the Jesuit, gliding over Europe, was warring against protestantism with intrigue and sometimes with worse weapons. Royal despotism, especially in Spain, felt that its cause was bound up with that of the despotism of the priest, and lent itself with all its power to the ecclesiastical reaction.

Instead of the direct appointment of bishops by the crown and during its pleasure, which was the extreme policy of the revolution, the form of election by the chapter was restored, though with the *congé d'élire* which practically vested the appointment in the sovereign, for whose nominee the electors were forced to vote under penalty of the dread Præmunire, while the crown's power of dismissal at will was allowed to fall. This made room, as at a later day appeared, for the revival of apostolical succession and of all that hangs thereby.

"The full power, authority, jurisdiction, and supremacy in church causes, which heretofore the popes usurped and took to themselves, is united and annexed to the imperial

crown of this realm." This transfer of ecclesiastical supremacy from the pope to the king was and remained the distinguishing feature of the Anglican Reformation. Its symbol in the churches was the substitution of the royal arms for the rood. Severance from the centre of the catholic faith drew after it doctrinal innovation.

The papal jurisdiction thus transferred to her Elizabeth took power to exercise through a high commission for the regulation of the church, the censorship of public morals, and the correction of the clergy. Thus
1583 the Court of High Commission enters on its ill-starred career.

Communion with the protestant churches of the continent was ostensibly maintained and their orders were now and long after this accepted as valid. But the intimacy of the connection ceased; the opinion of the protestant divines of Germany and Geneva was no longer sought, nor were they welcomed to England. Episcopacy combined with royal supremacy proved to be practically a dividing line.

This revolution was made by the government with a parliament which did the government's bidding. Convocation feebly protested; but its protest was disregarded and served only to show that the conscience of
1559 the clergy was coerced. By the Act of Supremacy, vesting supreme power in the crown, combined with the Act
1559 of Uniformity regulating the national religion by authority of parliament, the church of England was finally stamped as a state establishment, with the head of the nation as its head, and for its real legislature the national assembly. To use again a phrase of later coinage, the settlement was Erastian, presenting a contrast alike

to the papal theocracy and to the ministerial or democratic theocracy of Geneva or Scotland. Nor was the clerical convocation destined ever to recover its power. Episcopacy was the form of church government congenial to monarchy, and was retained where the Reformation was monarchical, as in England and Sweden, while it disappeared where the Reformation was democratic or aristocratic, as in Germany, Scotland, or Holland. In its retention, and in the claim of the bishops to apostolical succession with the sole power of ordination lurked the only remnant of ecclesiastical independence.

While the Anglican church was thus made a function of the state, the commonwealth was narrowed to the pale of the Anglican church, those who refused to take the oath of supremacy and conform to the established mode of worship, whether catholics or non-conforming protestants, being excluded from the House of Commons and from all political power. It was of little moment that the few catholic peers were retained, in deference to the aristocracy, in the House of Lords. Here we have the origin of the long struggle for catholic emancipation and the abolition of religious tests which has ended in the entire, or almost entire, secularization of the commonwealth, while the church still remains in bondage to the state.

Of the inferior clergy almost all conformed. Of the bishops who had been deeply committed by the persecution under Mary, and could not for shame turn their coats, fifteen resigned, while only one, Kitchin, Bishop 1559
of Llandaff, conformed. Most of the deans and heads of colleges also resigned. It was necessary in effect to create a new episcopate, and the number of bishops held requisite for consecration was barely made up out of the

survivors of the ejected episcopate of Edward, itself not so indisputably consecrated as to escape the malicious criticisms of an enemy naturally tempted to assail this weak link in the Anglican succession. The story of the consecration at the Nag's Head without the requisite forms is an exploded fiction. Yet it must be owned, if apostolical succession is essential to spiritual life, that the spiritual life of the English church and nation here hung by a slender thread. Parker, the primate, was a fair type of compromise, being a student of the Fathers, and having about him so much of the high churchman that a society dedicated to the diffusion of high church learning has been enrolled under his name.

There was at the time little resistance to the change. The protestant martyrs had not suffered in vain. The testimony of their blood had sunk deeper than argument into the hearts of the people, while the church by which they were murdered had made herself hated in proportion. The impression was the stronger because most of the sufferers came from lowly homes. Spanish connection had wounded patriotism. The character of Bonner had tainted his cause. But the rude north was still mainly catholic. So were the leaders of the old nobility; not only the northern lords, the Earls of Northumberland and Westmoreland, but the chief of all, the Duke of Norfolk, who could say that on his bowling-green at Norwich he felt himself the peer of any prince in Christendom. In these quarters conspiracy, and in the north formidable rebellion, arose. Religious disaffection, opening the doors to catholic intrigue from abroad, was a danger with which statesmen had always to contend. In the districts of the south and east, which

were best peopled, and where wealth mainly lay, protestantism, or at least conformity, prevailed.

It is not unlikely that some active and inquiring minds, stirred not satisfied by the controversy, had shot beyond the bounds of protestantism, even the most thoroughgoing, and anticipated the speculations of later times. Giordano Bruno found congenial company in England. Freethinking probably had its seat among Bohemians like the dramatists Marlowe and Greene. Something like it subtly pervades Shakespeare. But as yet it had no force.

Severe, nay cruel, laws were at once passed against 1559
the recognition of papal supremacy and for the enforcement of conformity to the state religion. But during the first twelve years of Elizabeth's reign there were no catholic martyrs, though the heresy law was still put in force against Anabaptists, the Anarchists of that day. When the mortal conflict between catholicism and protestantism was raging, when Alva and Parma were at
their work of extermination in the Netherlands, when the 1576
Guises and the League were at the same work in France,
when the massacre of St. Bartholomew had been perpe- 1572
trated and had been glorified by the pope, when the pope, after long hoping and being somewhat encouraged to hope, that Elizabeth would repent and bring her kingdom back to the church, had at length, despairing
of her conversion, deposed her and absolved her sub- 1570
jects from allegiance, when at last, responding to his call, a great catholic power took arms against her, when the Armada was being fitted out in the ports of Spain, when the Jesuit was creeping about England on his dark mission, when among his disciples plots were being

formed against the queen's life, when conspiracy was
1569 rife among the catholic nobility and the catholic north
1581 was in rebellion, the laws against the Mass were put in
sq. execution, and catholicism had its martyrs. It was now a question, not of religious orthodoxy or conformity, but of the life of the nation. There were no burnings of the catholics for heresy, there was no Inquisition, no racking of the religious conscience. Mass-priests suffered, not merely as dissenters, but as enemies of the state. The pope had done his best to stamp upon them as his liegemen that character when he deposed the queen. Nor was their case altered when he announced that his Bull might be taken to be suspended until execution of it could be had.

This policy nevertheless was wrong. Men convicted of treason, whether in the interest of the pope or in any other interest, deserved to pay the penalty, and when the nation was in mortal peril could hardly look for mercy. The Jesuit, as a member of an order of conspiracy, and an apostle not only of rebellion but of assassination, might, whenever he was caught within the protestant lines, have been lawfully treated as a public enemy. Even against him the use of the rack was detestable, little as it might beseem a familiar of the Inquisition to protest. Walsingham said that knowledge could not be bought too dear; it was bought too dear when it was bought at the expense of humanity. But for the catholics in general, so long as they did nothing disloyal, took part in no plots, published no Bulls of deposition, harboured no Jesuits, entered into no correspondence with the enemy, and answered the call to arms in defence of the nation, the treatment prescribed by wisdom

as well as justice was that of toleration. That policy succeeded in Holland, though perhaps it was easier in a rebel republic than it would have been under royal supremacy. The best defence of the nation was unity, which in this case only toleration could produce. For the conduct of the government nothing can be pleaded but the agony of peril and the fallacy of the age. It received a noble rebuke when catholics obeyed the call to arms in defence of the country against the Armada.

Not less urgent in their way than the religious question were the financial and economical difficulties with which the statesmen of Elizabeth had to deal. They found the government bankrupt, public faith impaired, the currency in a deplorable state of debasement, trade in consequence demoralized, the problems of pauperism and vagrancy unsolved. They restored the finances. By a daring measure they effected a reform of the cur- 1560
rency, which was justly accounted one of the glories of the reign, and which came seasonably to meet the great influx of silver from Spanish America. By thus giving assurance of a return to honest government they breathed new life into commerce, which they continued to foster by such means as with the lights of those times they could. The question of pauperism they settled, after one more fruitless trial of severity, by a Poor 1593
Law, which remained in force far into the present century, establishing in place of voluntary contribution a legal right to parochial relief. The country gentleman or squire, landlord and justice of the peace, whose figure we now discern, his tenant farmers on their homesteads, and the farm labourer in his cottage with right to parochial relief, together form the new manorial sys-

tem which replaces the feudal manor. Not only the castle but the castellated mansion has departed, and its place is taken by the peaceful beauty of the Elizabethan manor house or hall. It is true, perfect tranquillity and order did not come at once. There was still a good deal of marauding, at least there was a good deal of hanging. Strype speaks of forty executions in one county in a year. Yet the state of the country social and economical during the reign was progressively good. Insurrection was religious and political, not social as under Edward VI. Manufactures received an impulse from the influx of Flemish weavers whom Spanish tyranny and persecution had driven from the great hives of textile industry in the Netherlands. Compared with continental states ravaged by the religious war, the island kingdom was a haven of industrial prosperity as well as of peace.

A great part of Elizabeth's reign is a glorious gap in political history. Politics are almost lost in the struggle for national existence, and the history is military or diplomatic. The page is filled by the efforts of statesmen, to support the protestant and English interest in Scotland against that of the Guises, in France to protect the same interests against the same dark power ; by the deeds and sufferings of the English auxiliaries in the Netherlands and in France ; by the war with Spain upon the sea and the defeat of the Armada. Patriotism takes the form of loyalty to the head of the nation, and a practical dictatorship for the public salvation is accorded to the government, as it was accorded to the American government during the war of Secession. Shakespeare is full of patriotic fire. But in the mirror which he holds up to his age no political forms are seen. He is himself monarch-

ical, dislikes the mob, laughs a little at the sectaries, girds at the pope, though he makes no allusion to the struggle with papal Spain or to the Armada. But there is not a trace in him of party feeling or of interest in constitutional questions. To him king John is the king of England defending the realm against the French invader. Of the Great Charter he says not a word. By Raleigh in his "Prerogative of Parliament" the Great Charter is flouted. Raleigh himself is a type of the Elizabethan character, and of its relation to political history. He is extravagantly loyal, an almost slavish courtier, to rise in the queen's favour being the sum of his ambition, and at the same time intensely patriotic. He is a hero, an intriguer, and a corsair. The exuberant life-blood of a nation renewing its youth shows itself in his versatile energy as politician, man of letters, soldier, sailor, colonizer, and inventor; of religion he has so little as to be suspected of atheism, but he is a protestant at least for the purpose of fighting the Armada and raiding on the Spanish main. There was again danger of a lapse into arbitrary government. But the antidote in the form of a religious party and of the economical changes which produced an independent gentry was at hand.

By the conflict itself, indeed, moral forces and energies were called forth which could hardly have sunk into servitude. A school of protestant chivalry was formed, broader, more human, and nobler than the chivalry of the middle age. Its star was Sir Philip Sidney, who, wounded on the field of Zutphen, passed the cup of water 1586
from his own fevered lips to those of a suffering comrade, and whose death was deplored by a nation penetrated with his spirit as a great public calamity. Its poet was

Spenser, the English Tasso, whose crusaders are the champions of protestant truth going forth, not against the Paynim, but against the giants and enchanters of the papal Duessa. That with this chivalry some ferocity should mingle was inevitable in those times. At its worst it never equalled the ferocity of the Spaniards or the League. Above all, there was a glorious development of maritime prowess and adventure. If in Drake, Hawkins, Frobisher, Cavendish, and Walter Raleigh there was far too much of the buccaneer, the sea in those days was almost beyond the pale of international law, and the pretension of Spain to bar the gate of the west against mankind greatly provoked mankind to burst the bar. The Spanish Inquisition too was at work and had English mariners in its dens. In the great struggle, while catholicism with its terrible Spanish legions dominated by land, protestantism with its daring mariners, English and Dutch, was supreme at sea. The intrepidity of these mariners, when we consider the smallness of their barques, their lack of charts, of any instrument of observation better than the astrolabe, even of a perfect knowledge of the use of the compass, fills us with wonder, and we feel that however much the world in our day may have surpassed them in science, it can hardly have hearts so strong. Seamen can take no part in politics, and Great Britain owes her liberty largely to her good fortune in having, as an island, a navy, not a standing army, for her defence. But the character of the seaman has worked into that of the nation at large and impregnated it with the freedom of the sea. One very dark blot there is on the page. Hawkins began the English slave trade, and the queen shared his gains.

Of the intellectual quickening, proofs enough are Shakespeare and Bacon. In Shakespeare, with his little Globe Theatre, his want of scenic apparatus, of general culture, and of models, for he evidently knew nothing of the classical drama, we are struck, as in the case of the maritime adventurers, by the achievements of sheer power. If Bacon did not advance science by discoveries, he opened the gates of morning, and never had science so magnificent a preacher. He carried a scientific spirit into politics, as well as a touch of Machiavel.

A great school of diplomatists, such as Walsingham, Knollys, Sadler, and Randolph, was also formed, and if these men did not escape the obliquities of their age, if they fought the power of evil with its own weapons, it was the power of evil which they fought, while the mastery of their calling which they acquired was equalled by their devotion to the commonwealth. Of diplomacy perhaps this generation is the zenith, since the policy of Europe was then the policy of courts, in which personal influences held sway.

Elizabeth's fancy was to call herself a Virgin Queen. Marry she would not, though parliament and the nation earnestly besought her to choose a husband and give an heir to the throne. She fenced and dallied with the question, the threads of which blend laughably with the web of a terribly serious diplomacy. It must be owned that it was hard to call upon a woman to wed for a political end against her inclination. It must also be owned that the choice among the available princes of Europe was narrow, and that Alençon, whom the queen pretended to like best, and who seemed politically the most eligible, was undersized, and pock-marked, with a

knobbed nose, a croaking voice, and a character not superior to his person. Here we come once more upon a drawback of female sovereignty. Elizabeth's secret reason for declining marriage probably was her unwillingness to part with the sole power. Marriage, at all events, she coquettishly declined, and resolved to live and die a virgin. But being extravagantly fond of admiration, she consoled herself with flirtations which gave rise to scandals such as history does not stoop to investigate. The most notable of these flirtations was with Robert Dudley, Earl of Leicester, a handsome, magnificent, and bad man. Leicester was already married, as Elizabeth knew, to Amy, daughter of Sir John Robsart, a country knight. So near had he come to winning his sovereign's hand and a seat beside her on the throne, that to
1560 rid his ambition of that obstacle his young wife was put out of the way. Of this fact there can scarcely be a doubt. Elizabeth, though she would not marry him, though she even in a wayward mood tendered him as a husband to the queen of Scots, continued her dalliance with him when, as Burghley said, he was "infamed by the death of his wife." Infamed in a high degree he was. But for a time by his intrigues he almost supplanted Burghley. When he went as commander to the Netherlands his vanity and incapacity appeared. Sir Christopher Hatton was recommended to the chancellorship and a seat in the privy council by his handsome figure and his grace as a dancer. He addresses Elizabeth in the language of frantic passion. Looks and dress were known passports to the favour of the royal maiden, and the flattery of courtiers, even to the last, was a mimicry of love. Henry IV. of France fell diplomatically into

the fashion, and tried to make the English ambassador believe that he was ravished with the portrait of a lady of sixty-four, and, as an ungallant historian remarks, with small black eyes and a hooked nose, black teeth, and a red wig. It was fortunate for the nation and creditable to the queen that, on the whole, ministers who had not the art of love, but had the art of saving their country, were able to hold their own in council against the lovers, though the lovers got the praise and the reward.

The balance between the two great powers, France and Spain, forms the key to the foreign policy of the early part of the reign. The rivalry between those powers prevents them from uniting their forces against the heretic realm which, being without a standing army, could hardly have resisted their trained soldiery and experienced captains. English statesmanship inclined to the Spanish connection, while Philip of Spain, chief defender of catholicism and exterminator of heresy as he was, obedient to the injunction of his politic father, cultivated the alliance with England, suspended by his influence the action of the pope against her government, and long declined to carry the papal sentence of deposition into effect. A passionate desire of recovering Calais is a strong, though secondary, factor in the English policy. But as the reign goes on political and territorial objects give way to mortal conflict between the old faith and the new, which sets, not nation against nation, Spain and her allies against France, but the two religious parties in each nation against each other. England being protestant is compelled to take the protestant side, though against the bias of her queen, who in her heart hates thorough-

going protestantism, is above all things monarchical, and shrinks from an alliance with Scotch, Dutch, or Huguenot insurgents against their lawful sovereign. Elizabeth is first constrained by the pressure of Cecil and her protestant councillors to support the reformers in Scotland against the Guise influence and Mary queen of Scots, which she does unwillingly, John Knox as the author of the "Monstrous Regiment of Women" being an especial object of her hatred, and very fitfully, doling out assistance to her allies with a niggardly hand, often playing them false and sometimes driving them to despair. Presently she is constrained not less unwillingly to send help to the insurgent Huguenots in France and to the insurgents against Spain in the Netherlands. She still clings to the Spanish connection, and is fatuously bent on its renewal. The forbearance of the Spanish king lasts long, though he is sorely provoked, not only by the protestant policy of England and the aid lent by her to his heretic rebels, but by the outrages of her buccaneers. At last it gives way. Upon the execution of Mary queen of Scots his hesitation
1588 ends, and his Armada sails. Through the whole of the tangled web runs as a connecting thread the history of Mary queen of Scots.

Elizabeth and Mary queen of Scots were bound to be enemies from the beginning. Something there may have been in it of feminine rivalry. One of the women was, the other would fain be, a beauty. But Mary was the legitimate heir to the crown of England, excluded only by the will of Henry VIII., and she had set up her claims by assuming the title and the royal arms. This is to be borne in mind when Elizabeth is arraigned for churlishness in refusing Mary a safe-conduct from France to Scot-

land, and for her intrigues with Mary's subjects. If those intrigues were dark, they were not darker than those of the house of Guise on the other side. To put an end to the hostile influence of France in Scotland was on the part of the English government a vital measure of self-defence. The religious struggle had now transcended nationality and modified civil duty. It made the Scotch protestants clients of the queen of England, though they were subjects of the queen of Scots. Of Mary's devotion to the catholic cause, and determination to crush Scotch Presbyterianism whenever she had the power, there could be no doubt. Rizzio was her privy minister in playing this game. To the young queen, cast among such a crew of uncontrolled and stabbing anarchs as were then the nobles of Scotland, with scarcely a trustworthy adviser or a true heart to lean on, allowance and pity are due; and we can only admire the constancy with which, unsupported as she was, she withstood the attempts of fanatical preachers to bully her out of her religion. But she was working, and was bound to work, with the catholic powers at her back, against the great cause; and the liegemen of the great cause were bound to counteract her working. That she was privy to the murder of Darnley there can be little doubt. But the man could hardly be called her husband who when she was with child had burst
into her chamber with a band of ruffians and butchered 1566
Rizzio almost before her eyes. When Mary, after being
deposed and signing her own abdication, fled her kingdom 1567
and took refuge in England, she doffed the queen and 1568
became subject, as a sojourner, to the law of the land in which she sojourned. She was treated as a prisoner, and for a prisoner to plot escape is not criminal. Nor was it

Mary's fault that in her prison she was the lady of catholic romance, the cynosure of catholic policy, the pivot of catholic conspiracy; that in her cause broke out the
1569 rebellion in the north of England, headed by the old catholic nobility, which cost the Duke of Norfolk, the
1572 chief of that nobility, his head. But if Mary herself plotted treason, above all if she plotted the assassination of Elizabeth, she could plead no privilege for crime. Her conviction was lawful and just, unless a trap had been laid for her. The protestants had clamoured fiercely for her blood, and she was their mark when they formed a great vigilance association to protect the life or avenge the death of their queen. Elizabeth wished her dead, but wished to cast the responsibility for the act on others. There can be no doubt that through her secretaries she
1587 solicited Mary's keepers, Paulet and Drury, to make away with their prisoner, and received from Paulet the indignant answer of a man of honour. At last she signed the warrant, yet pretended that it had been issued against her wishes, and not only belied her act to the king of Scots, but went through the farce of dismissing, imprisoning, and fining Davison, her secretary of state, for pretended contravention of her orders. Great must have been the patriotism of statesmen who for the sake of England could serve such a mistress.

In the Netherlands, where protestantism and freedom were fighting for their life with Philip of Spain, Alva, and Parma, the decisive field apparently lay; and upon that field the forces of England, had Henry of Navarre, Gustavus, or Cromwell been at their head, or had a free hand been given to Burghley and Walsingham, would have been thrown. But Elizabeth never heartily embraced

the cause of which destiny had made her the chief. She loved protestantism not much; political freedom she loved not at all. Her trade was monarchy. Her heart was in her trade, and it never was thoroughly with the Netherlands in rebellion against their king. Her dealings with them brought upon her government shame which it took all the heroism of Sidney, Norris, and Williams to wipe away. In her eagerness for reconciliation with the king of Spain she apparently was on the brink of being cajoled into delivering to him the cautionary towns, which would have inflicted a lasting stain on the honour of the country. Her troops were sent out, and were kept, by her parsimony, in a condition which filled their commanders with despair. They were cheated of their pay, while the soldiers of the Netherlands were regularly paid, and they perished in numbers from want of food and clothing. On their return from the war the survivors presented themselves famishing and half-naked at the palace gates, to be driven away with threats of the stocks. The niggardliness which thus starved the public service and wronged the soldier probably had its root in the love of power and unwillingness to be beholden to parliament. It yielded only to love. Wealth was heaped on Leicester and Hatton, while the soldier perished of hunger.

Hesitation to beard Philip's power might be wise. It would have been hard for England to resist his veterans could they have been thrown upon her coast. Religion apart, the policy of balance between Spain and France had much to commend it. But when the die had been cast, irresolution, half-heartedness, dilatoriness, parsimony were folly, and disloyalty to allies was worse.

Of all the war memories of England, the most glorious and the most cherished is still the defeat of the Armada. Trafalgar and Waterloo saved England, and Europe with it, from the domination of France, which in any case would probably have died with Napoleon. The defeat
1588 of the Armada saved England and Europe from a night the darkness of which might for centuries have been broken by no day. That it transferred to England and Holland, and ultimately to England, the dominion of the sea, was a fruit secondary to such a deliverance. The qualities displayed by the seamen, who, in their small barques, attacked, chased, and destroyed the floating castles of the Spaniard, are the most thoroughly English and appeal most to the English heart. The whole scene of the fight in the channel, of the fire-ships at Calais, of the flight of the invader round Scotland, and his wreck on the Scotch and Irish coasts by storms in which protestantism saw the hand of heaven, is one of the most thrilling and tragic in the history of war. Let the fair share of the glory go to England's Dutch allies in the defeat of Philip II., as well as to her Prussian allies at Waterloo. Let the victory be regarded as one gained not over the Spanish people, but over the evil spirit which had entered into Spain, and let Spanish pride be spared the celebration.

When the Armada lay ready in Spanish ports, England, and protestant Scotland with her, were in the extremity of peril. The Armada was a convoy for the army of Parma; and had Parma with his legions landed in England, there was no regular army to withstand them. In that terrible hour what was the queen doing to fire the heart of the nation and prepare for the defence? She

was carrying on behind the back of her allies and to the despair of the best spirits in her council, notably of the great Walsingham, and of the leading mariners, negotiations, not less fatuous than unworthy, for a treaty with the king of Spain, of whose falsehoods and those of Parma she was the dupe. Drake's enterprise against Cadiz, which crippled the enemy by an immense destruction of his resources, was countermanded by her, though happily too late, and Drake was rebuked on his return. Instead of strengthening her armaments to the utmost and throwing herself upon her parliament for aid, she clung to her money-bags, actually reduced her fleet, withheld ammunition and the most necessary stores, cut off the sailor's food, did, in short, everything in her power to expose the country defenceless to the enemy. Statesmen and admirals alike held up their hands in agony at her conduct. "Why will not your Majesty, beholding the flames of your enemies on every side kindling around, unlock all your coffers and convert your treasure for the advancing of worthy men, and for the arming of ships and men-of-war that may defend you, since princes' treasures serve only to that end, and, lie they never so fast or so full in their chests, can no ways so defend them." Such was the wail of a faithful servant and a patriot, which fell upon deaf ears. The pursuit of the Armada was stopped by the failure of the ammunition, which apparently, had the fighting continued longer, would have been fatal to the English fleet. Treason itself could scarcely have done worse. The spirited speech at Tilbury, instead of being a defiance hurled in the face of the Spaniard, was really hurled at his back some days after his flight. The country saved itself and its cause in spite of its queen. And

1587

how were the glorious seamen whose memory will forever be honoured by England and the world rewarded after their victory? Their wages were left unpaid, they were docked of their food and served with poisonous drink, while for the sick and wounded no hospitals were provided. More of them were killed by their queen's meanness than by the enemy. Even the praise the queen bestowed, not where it was due, but on her vile favourite Leicester. If all this, unpardonable in a man, was pardonable or exempt from censure in a woman, the inference is that a woman ought not to be at the head of the state, at least when the state is threatened by an Armada.

As the reign wears on, and the danger from abroad passes away, home politics revive. The House of Commons shows a more independent spirit, vindicates its freedom of speech, attacks abuses, moots high questions of state, challenges prerogative, opens, in fact, the irrepressible conflict between government by prerogative and government by parliament, of which the supremacy of parliament is destined to be the result. The sources of this revival are two. In the first place, owing partly to the dissolution of the monasteries, which threw their lands back into circulation, there have grown up a landed gentry and a substantial yeomanry, who are not under court influence, and whose choice in the election of members of parliament it is not so easy for the crown to control. The gentry find their way into the House of Commons, and they have their order and the yeomanry at their back. In the second place, Puritanism has come upon the scene. An open Bible has done its work; men have made out of it for themselves a Bible religion, independent of church

teaching. An equivocal religion it was, and equivocal, though grand, was the character which it formed. It took the whole Bible as inspired, confused the Old Testament with the New, Judaism with the Gospel which was a reaction from it, Christian brotherhood with Hebrew privilege, the spirit of the Sermon on the Mount with that which breathes in such stories as those of the slaughter of the Canaanites, the killing of Sisera, the hewing of Agag in pieces before the Lord, and the hanging of Haman and his ten sons. Catholicism was not Biblical; it had little of the Old Testament; it was a development, though distorted, of the religion of Jesus. Whatever might be its superstition and its priestcraft, it did not cast upon life or character the shadow of the old Covenant with its tribalism, its sombre and angry prophecies, its Mosaic law, its Mosaic Sabbath, its narrow conception of the Chosen People. Puritanism was Biblical in the extreme; whatever was in the Bible it indiscriminately embraced, whatever was not in the Bible it abjured. But compared with catholicism it was rational. Compared with catholicism it was tolerant, though its toleration at first might be less a principle than the necessity of a struggling minority, or a consequence of its internal divisions. It had no Inquisition, no Jesuits, no Index, no *autos-da-fé*. It brought man, without the intervention of church or priest, into direct communion with his Maker. Its spirit was independent, high, and, in the battle with the Evil One, heroic. Its morality, though narrow, austere, and somewhat sour, was pure and strong. If it was not favourable, it was not hostile to culture, and among its votaries were highly cultured men. Education it zealously promoted as a safeguard

against priestcraft and as a key to the study of the Bible.

Protestants who had fled from Mary to the continent brought back with them from the lands of Luther, Calvin, and Zwingli aspirations which spurned the Anglican compromise, and could be satisfied with nothing less than a radical reformation. All the relics of papal ritual, the surplice, the cross in baptism, the sponsors, the marriage ring, the kneeling at the reception of the eucharist, the administration of the eucharist in private, which seemed to make it a sacrament, not a communion, these men desired to sweep away; and when they were upbraided for their warmth about mere forms, they might truly say, as the opponents of ritualism in our own day have said, that the forms draw doctrines with them. Episcopacy itself they regarded with an evil eye, and desired at all events to limit the autocracy of the bishop, and to give the people a voice in the appointment of their ministers and in the administration of the church. They made war, also, on practical abuses; on the loose lives of the clergymen, such as Shakespeare's Sir Hugh Evans and Sir Nathaniel, and their neglect of duties, for which many of them, as ex-priests of catholicism, would probably have little aptitude and less relish; on pluralism and non-residence, for which the impoverishment of the benefices was pleaded as an excuse, but which left many parishes without a pastor. Some Puritans, whose leader was Cartwright, were Presbyterian, not less convinced than Episcopalians of the exclusively divine character of their own form of church government, or less ready to impose it by force on others. All of them, while they desired to purify the national church, believed in its necessity as an institution,

and in the duty of the civil ruler to uphold it. None of them dreamed of such a solution as a tolerated nonconformity. None of them were in principle friends to religious liberty. Religious liberty found its only champions in the Brownists or Independents, who were proscribed and persecuted on all hands as near kinsmen to the revolutionary Anabaptist and a scandal to the protestant Reformation.

Whether Elizabeth's ecclesiastical title was head or governor, she regarded herself as in all church matters supreme. In that sphere, convocation having lost its authority, there was nothing answering to a parliament to curb her will. She styled herself the Overlooker of the church, and she could hardly have uttered a severer satire on the whole system of church establishments. To credit her with strong religious sentiments either way would be absurd; but she had a taste for the ritualism which the Puritan abhorred. To popery she was made an enemy by circumstance; Puritanism she herself detested. As Strype says, "She would suppress the papistical religion that it should not grow, but would root out Puritanism and the favourers thereof." Above all she was for uniformity, conformity, and entire submission to her will. To use her own words, she was determined "that none should be suffered to decline either on the left hand or on the right hand from the direct line limited by authority of her laws and injunctions." At the beginning of her reign, while her throne was unsteady, she promised latitude and comprehension. But in its latter part, the danger being over, she began rigorously to enforce conformity and to persecute the Puritans, to whose enthusiastic support her preservation had

been mainly due. We see her temper in the Conventi-
1593 cles Act of 1593, passed to restrain the queen's subjects
in obedience, under which three nonconformists, Barrow,
1593 Greenwood, and Penry, suffered death. The queen acted
against the advice of her wisest counsellors. Burghley
notably protested against the inquisitorial character of
the interrogatories used to probe the consciences of min-
isters, saying that he did not think the Inquisitors of
Spain used so many questions to trap their prey. He
headed a memorial signed by eight privy councillors
against depriving people of good pastors for conscien-
tious dissent on points ceremonial. The engine of per-
secution was the court of high commission, consisting of
bishops, privy councillors, and officers of state, through
which the queen had taken authority to exercise her
ecclesiastical powers. For the bishops Elizabeth showed
no respect. But she insisted that they should do her will
by coercing the nonconformists and take the unpopularity
on themselves. "God," she said to the bishops, "hath
made me the Overlooker of the church; if any schisms
or errors heretical are suffered therein which you, my
lords of the clergy, do not amend, I mind to depose you.
Look you, therefore, well to your charges."

Caring nothing for sacraments and little for liturgies, the
Puritans valued above all the ordinance of preaching; as
they naturally might, when the Word was almost as new
as it had been at the first promulgation of Christianity.
They provided themselves accordingly with preachers, to
do for them what the parish clergy could not or would
not do; and to hear these preachers they formed their own
congregations. The queen insisted that the preachers and
the conventicles should be put down. Grindal, the arch-

bishop of Canterbury, an excellent old man, refused to be her agent in depriving the people of what they thought, and he at least half agreed with them in thinking, the bread of spiritual life. For this the queen suspended, and, had she dared, would have deprived him. Grindal's 1577
successor, Whitgift, a narrow disciplinarian, Aylmer of London, and other bishops, were more compliant, and by their energy in suppressing the preachers and enforcing conformity made themselves hateful to the people. The prisons into which dissenters were thrown were in those days so foul that confinement in them was little better than death, and one sectary could boast that he had been in thirty-two prisons, in some of which he could not see his hand at noon-day. Against the persecuting episcopate the Puritans waged a war of pamphlets. They set up a secret press, which forms a new feature in the progress of political warfare. The more violent and coarser of them assailed the bishops in a series of tracts under the name of Martin Marprelate, full of the most intense rancour 1587
that persecution can engender. The Puritans, however, were always unshaken in their loyalty to the throne. One of them, Stubbe, when, for having written against the marriage of Elizabeth with a papist, his right hand was cut off, 1579
had waved his hat with his left hand and shouted, "Long live queen Elizabeth!" Burghley appreciated Stubbe though queen Elizabeth did not.

Re-animated thus at once by rural independence and by Puritanism, which, the catholics being excluded by their inability to take the oath of Supremacy, there was no catholic party to counterbalance, the House of Commons showed, and increasingly as the reign went on, a force unknown since Lancastrian days. It asserted its right, in

spite of rebukes from the throne, to deal with the highest questions of state, such as the queen's marriage and the succession to the crown. It moved for Puritanic change in the formularies and ceremonies of the church, thus trenching on a province which the sovereign regarded as belonging to her alone. When one of its members was
1587 arrested for boldness of speech, it reclaimed him and wel-
1601 comed him back with cheers. It attacked the monopolies, by grants of which the queen enriched her favourites, and enforced her consent to their abolition, which, when she found it inevitable, she gave with characteristic tact and grace. Leaders of opposition such as Peter Wentworth, Strickland, and Yelverton, stand forward, the genuine precursors of the leaders of the Long Parliament. Wentworth refers to himself as meditating his speech while walking in his own grounds; so that parliamentary oratory has become a power. The language held in debate, after the servility of the preceding age, if D'Ewes correctly reports it, sounds like a tocsin; "We are expressly charged by our constituents to grant no moneys until the queen answers resolvedly what we now ask. Our towns and counties are resolute on this subject." The imperious queen, when she refused to marry or settle the succession, was told that "she was a step-mother to the country, as being seemingly desirous that England which lived in her should expire with her rather than survive her"; that "kings could only gain the affections of their subjects by providing for their welfare, both while they lived and after their death"; and that "none but princes hated by their subjects or faint-hearted women ever stood in fear of their successors." "All matters," said Mr. Yelverton, "which are not treason, or too much

to the derogation of the imperial crown, are in place here, and to be permitted; here, I say, where all things come to be considered of, where there is such fulness of power that it is the place where even the right of the crown is to be determined. To say that parliament hath no power to determine of the crown is high treason. Men come not here for themselves, but for their countries. It is fit for princes to have their prerogatives; but even their prerogatives must be straitened within reasonable limits. The princess cannot of herself make laws; neither may she, by the same reason, break laws."

Hooker, in the latter part of the reign, though the majestic champion of Anglicanism against protestantism, is popular in his principles as to the origin and foundation of government, however monarchical and hierarchical he may be in the application. Even Bishop Aylmer, the persecutor of the Puritans, recognizes the two Houses, one representing the aristocracy, the other the democracy, as powers co-ordinate with the crown, and says that if they use their privilege the king can ordain nothing without them, or if he does, it is his fault in usurping, and theirs in permitting the usurpation.

On the other hand, there was no such approach to responsible government as was made by the Lancastrian parliaments, which claimed a control over the appointments to the council. The ministers regarded themselves as the queen's servants alone; as bound, when their remonstrances had failed, to do her will, not to resign; and as justified in all that they did by her command. This principle was avowed by Burghley, whose conduct on some occasions, especially on the eve of the Armada, stood in need of its application; but his colleagues also seem to

have acted upon it; at least none of them resign. The government still is, and is deemed by all, to be in the sovereign, though it is held under the advancing shadow of the rival power. The authority of the sovereign is perpetual, that of parliament is intermittent, and its existence can be suspended at the pleasure of the sovereign. No annual budget and supply require its regular presence. For nearly five years Elizabeth called no parliament. Nor was the connection between the members and their constituencies maintained and the spirit of the House renewed by periodical elections. The crown could keep the same parliament in existence as long as it pleased.

One proof of the growing power and independence of the House of Commons is the reluctance of the queen to hold parliaments. Another is the presence in the house of privy councillors, who lead for the government much as ministers lead now. A third is the creation or revival of a number of small boroughs, which are evidently intended to furnish safe seats for placemen or nominees of the sovereign, and counterbalance the elections of independent gentlemen by the counties. A seat in the Commons, instead of a burden, is becoming an object of ambition, of which the appearance of bribery at elections is a sinister sign.

The question is mooted whether residence in the constituency should be required as a qualification for election. It is decided that the election shall be free. This, at the time, is rather in favour of the courtiers against the country, though it facilitates the election of lawyers, who on some important questions formed the head of the opposition lance. But it decides that the House shall be a council of the nation, not a convention of local delegates. It is a

noble resolution, from which modern democracies, notably that of the United States, have fallen away.

Against the Lords the House of Commons distinctly asserted the exclusive right of initiating money bills, the ultimate pledge of supreme power. An attempt of the Lords prompted by the court to press a subsidy bill on the Commons was resisted by Bacon, who seems to have thereby forfeited the favour of the queen.

The House of Lords has settled down from a mutinous aristocracy into a conservative House of titled landowners inclined to support the court against the commons, or attached to the Liberal side chiefly by possession of the church lands. Elizabeth creates few peers, and these are courtiers. From their ancient claim to advise and control the government the lords have been ousted by the privy council. On the demise of the crown, which would also be legally a demise of the council, a lord laid his hand in the name of his order on the helm of state, but the hand was speedily withdrawn. It is by the council that the new king is proclaimed. 1603

We are not yet clear of arbitrary taxation on merchandise, still claimed by prerogative as its lawful victim, or even from forced loans. But the overthrow of monopolies proves that law is gaining the upper hand. Personal liberty is not so well secured. The people have not yet learned that the rights of each must be defended if they would preserve the rights of all. It is of this reign that Hallam is speaking when he says that in trials for treason the courts were little better than the caverns of murderers. The star chamber assumes the exercise of a residuary prerogative, undefined in extent, and nonconformists are arbitrarily imprisoned by the court of high commission.

There is a disposition to introduce martial law, and the queen wishes to apply it to a man who had compassed the death of her favourite Hatton. The peril of the nation might warrant strong measures; but encroachment did not stop there. Still, principle remained settled and was gaining ground.

The last object of Elizabeth's affection, Essex, must have been a favourite, not a lover. The mad insurrection into which jealousy of his court rivals hurried him,
1601 and which cost him his life, was about the last outburst of aristocratic anarchy, while Bacon's conduct in the impeachment of his friend and benefactor is a repulsive relic of the servility which, in the court of Henry VIII., laid nature and friendship, as well as liberty and truth, at the despot's feet.

The melancholy which fell on the queen in her last days has been ascribed to political disappointment and the sense of impending change. She felt, it is said, that the Tudor system of government and society was passing away. In "rooting out Puritanism and the favourers thereof" she had certainly not been successful. Hallam thinks that her popularity had declined. He says that the nation cheated itself into a persuasion that it had borne her more affection than it had really felt, especially in her later years. Her best councillors were dead. The tragedy of Essex, even if he was nothing more than a favourite, may well have contributed a shade of gloom. But we perhaps need look for no deeper cause of her chagrin than the sense of desolation, the shadow of coming death, and the feelings of a woman who sees the end at hand after having coquetted all her days and refused love.

Change, however, was impending in the political if not the social sphere. The danger of attack from abroad and the catholic powers was overpast; that of civil war had long been left behind. The need of an autocrat was felt no more. A powerful class, adverse to aristocracy, had grown up; a religion adverse to the hierarchy with which autocracy was identified had taken deep root. On the other hand the monarchy still regarded itself as of right autocratic, while among the clergy a hierarchical and ritualistic reaction had set in. Thus the clouds were fast gathering out of which would break the elemental war.

Elizabeth had resolutely declined to settle the succession to the crown. Parliament had remonstrated with her strongly, even sternly, but in vain. In this, as in her refusal to give the crown an heir by marrying, she was most likely influenced by unwillingness to part with power. She had no mind, she said, to be buried before her death. This feeling, which clung to her even on her death-bed, was near consigning the nation, for which she professed a maternal affection, to civil war. She had no power without parliament to bequeath the crown, still less to bequeath it by word of mouth. Though the king of Scots was the heir to the crown by blood, the parliamentary title under the will of Henry VIII., which an Act of parliament had made law, was in the house of Suffolk, while there was another claimant in the person of Arabella Stuart as a native, James being an alien born. The council cut the knot, averted confusion, and united the crowns by proclaiming James of Scotland king of 1603
England.

CHAPTER XX

JAMES I

BORN 1566; SUCCEEDED 1603; DIED 1625

THE histories of Scotland and Ireland now mingle their streams with that of the history of England.

The history of Scotland since the victory of Robert Bruce had been the chronic struggle of a feeble monarchy with a lawless, turbulent, and rapacious nobility. Bruce himself, before he died, had been the mark of aristocratic conspiracy. He was scarcely dead when the oligarchy which crowned him was for a moment overthrown by a revolution, caused apparently by the dislocation of estates which followed the rupture of the kingdoms in a baronage holding English as well as Scotch fiefs, combined with the general spirit of anarchy and rapine, and the country for a time weltered in confusion. The barons retained the worst privileges of feudalism. They had heritable jurisdictions with power, in their baronies, of life and death. The great offices of state were hereditary, and so were the wardenships or commands on the border. A baron had absolute control over his vassals and could always lead them against the crown. Royal or national justice was hardly known. It could be enforced on the border only by calling out the force of several shires. The instruments of high police were letters of fire and sword. Under

such conditions, as the Scotch historian says, burgher and peasant alike suffered. "The voice of the country's wretchedness is heard in the chronicles, which lament that justice and mercy are unknown throughout the land, that the strong tyrannize and the weak endure." Against the crown and each other nobles were always forming cabals, or "bands of manrent." Private war was the rule. The most powerful of the houses was that of Douglas, though Hamilton, Graham, Boyd, Crichton, and Livingston had their hour. The domains of the Douglases were in the south, where the martial spirit was kept up by border wars. Their grim and massive stronghold, the sea-girt Tantallon, bespoke the character of an iron race. For a time that house overtopped the crown, against which it could combine almost half the kingdom. One king could rid himself of its mastery only by playing the assassin. He entertained the Douglas at a feast, drew him aside, bade him break up his "band," and when the Douglas replied he would not, said, "I shall," and 1452
plunged a knife into his heart. On the other hand, when a king, recoiling from the rude domination of the nobles, found favourites in another class, the nobles seized his favourites and hanged them before his eyes. Archibald Douglas won the nickname of "Bell-the-Cat," by being the leader in this outrage. To take up arms against the king was a venial offence. To seize him and carry him off was one of the strokes of intrigue. Of six successive kings, from Robert III. to James VI., two were murdered and one died of the chagrin brought on by treason, while two fell in battle or siege. The long minorities which ensued were periods of redoubled confusion. Among themselves the noble houses carried on deadly feuds which

descended from generation to generation, and bred tragedies rivalling that of the Tower of Ugolino. To weaken the nobility, the kings fomented these feuds.

James I. of Scotland had passed his youth as a captive in England during the Lancastrian era. He had been well educated by the care of the English kings. He had
1424 seen comparative civilization, and on his return to Scotland tried to introduce it there. He partly remodelled the Scotch parliament on the English pattern, introducing the principle of representation, to admit the gentry, who formed the sinews of the English House of Commons. Through this parliament he opened the statute book of Scotland, revised the law, made a survey of property for taxation, regulated weights and measures, reformed the coinage, repressed vagrancy, and made war on feudal privilege. He cut off some high rebellious heads, and resumed lands of which the nobles had despoiled the crown. The consequence of his reforms was one of the grand murder scenes of history. In a monastery at Perth, where the court lodged, as the king lingered in his night-gear before the fire, his ear caught the noise of assailants breaking into the building. All other outlets being closed, he tore up the floor of the room and took refuge in a drain beneath it, while the women, whom alone he had
1436 around him, feebly barred the door. He was discovered by the murderers and slain. To the people he had made himself dear as their shield against feudal oppression, and their affection was shown by the execution of the murderers with fiendish refinements of torture. His son, James II., took up his policy, and was making some way
1460 with it when he was killed by the bursting of a cannon.

A parliament Scotland had, composed of the nobility,

the hierarchy, the lesser barons or the gentry, and the burghers. But in spite of the transient reforms of James I. it remained comparatively undeveloped, if not abortive. It was not divided into houses. It gave up the initiative of legislation to a committee called the Lords of Articles, practically controlled by the crown, of whose edicts it became little more than the register. It lacked the great engine of influence possessed by the parliament of England, as the kings rarely came to it for supplies; they subsisted mainly, as a rule, upon the estates of the crown, which they augmented, when they had an opportunity, by confiscation. Nor did the nobles look for redress of grievances to parliament. They looked to their bands of manrent and their swords. The development of the judiciary, as an organ separate from the legislature, was imperfect, nor was there a Habeas Corpus to guard personal liberty, while torture, illegally practised by the Tudors in England, was in Scotland sanctioned by law.

The normal relation with England was war, only suspended by ill-kept truce or uneasy and querulous peace. Scotch borderers were always issuing from their peels, or towers, to raid on English fields. English kings swept Scotland with desolating invasions, sometimes reviving the claim to over-lordship, but were withheld from permanent conquest either by the difficulty of keeping feudal armies long in the field, or by their continental enterprises and entanglements. In the great battles the English bow, which the Scotch never learned to use, prevailed. Halidon, Homildon, Nevill's Cross, Flodden, all went the same way. After the slaughter of the Scotch king and his nobility at Flodden the kingdom 1513
would probably have fallen had Surrey's victorious army

advanced, instead of dispersing for want of supplies. But in marauding expeditions the Scotch, mounted on their hardy ponies, with a bag of oatmeal apiece for commissariat, had their revenge. War was carried on with the utmost savagery, and when the English entered a camp which the Scotch had left they found a number of English prisoners with their legs broken. The border, with its robber hordes and its plundering clans, was a realm of brigandage tempered by fitful inroads of authority and summary hangings, styled Jedburgh law. Pretenders to the English crown, the false Richard II., and after him Perkin Warbeck, found shelter and countenance in Scotland.

For protection against England, Scotland was fain to throw herself into the arms of France, of which she became the diplomatic vassal, and in war with the common enemy the subordinate ally. Scotch auxiliaries fought for France against the English invader, and fought well. Louis XI. had his Scotch guard, as readers of "Quentin Durward" know. It was in a French quarrel, and in response to an appeal made to his fantastic chivalry by a French queen, that James IV. recklessly invaded
1513 England, and led the flower of his kingdom to ruin at Flodden. The two countries entered into a league for mutual support against England, which in fact afforded the English government a standing cause of war. French auxiliaries were sent to Scotland, but the Scotch found them too fine gentlemen, while they found the Scotch not fine gentlemen enough. The Scotch castles and Scotch architecture of the period generally are in the French style.

Under such conditions the arts of peace could hardly exist; wealth could not increase; large towns could not

grow; nor could the political influence of the city be felt. Such cities as there were preferred municipal isolation or combination with the other cities to partnership in the feudal commonwealth. It is surprising that the country should even have been regularly tilled, when flight before a devastating invader was a common incident of life. A combative and sombre patriotism with fierce hatred of the 'auld enemy' would be nursed by the conflict. Self-reliance must have been bred by the constant bearing of arms, and danger of enervation by luxury there could have been none. But the modern Scotch character is not the offspring of feudal anarchy or border war; it is the offspring of protestantism, of Presbyterianism, of the school system, and, not least, of trade, acting, no doubt, on a basis of native force and shrewdness. Bacon, in his plea for union, comparing the Scotch with the English, says that the disparity is only in the external goods of fortune, that in the goods of mind and body Scotchmen and Englishmen were the same, and that the Scotch were a people "in their capacities and understandings ingenious," and "in labour industrious," as well as "in courage reliant," and "in body hard, active, and comely." But Bacon was writing after the Reformation.

The medieval church of Scotland could not fail to partake of the general rudeness and coarseness of society. It is wonderful that any rose should have blossomed on such a thorn, and that church art should have produced such beauty as that of Glasgow Cathedral, Melrose Abbey, and the Chapel of Rosslyn. It is not less wonderful that universities should have been founded, and that there should have been, as apparently there was, a popular craving for education.

Such was the Lowland monarchy; and that to the Lowlands, not to the Highlands and the Isles, the legal and titular sovereignty should belong, fortune decided on the
1411 battle-field of Harlaw. But the realm of the Celt beyond the Grampians remained unassimilated and unsubdued. There the clan system with all its relations and sentiments continued in full force, and the chief, instead of being, like the baron, lord of the land, was lord of the men to whom as a clan the land belonged. There Gaelic was still the tongue; the Celtic mantle was still the garb; the word of a lawless chief was still the law; and the most honourable occupation was raiding on Lowland farms. Christianity could hardly be said to exist, and the restraints of marriage were almost unknown. Only by alliance with the powers of Huntley, in the eastern Highlands, and of Argyle, in the west, could the monarchy of Edinburgh obtain slight and precarious control. Between Lowland Saxon and Highland Celt the antipathy and antagonism were hardly less than between the English colonist in Ireland and the native Irish. "Cateran" was the name of hatred and contempt given by the Lowlander to the plundering Gael. For the suppression of caterans a statute
1384 was made by which any man might seize one of them, bring him to the sheriff, and kill him if he refused to come; and this was the first in a train of penal and denunciatory laws against the Highlander, each more cruel than the last. The caterans, like the Irish kerne, retaliated when they had the power. Driven from the fruitful to the barren lands, they were shut out from civilization and almost constrained to plunder. The enmity between the two races was deadly; there was apparently no hope of reconciliation, much less of a common nation-

ality. In Scotland as in Ireland there was as little thought of keeping faith with the Celt as with the beast of prey lured into the trap. To foment quarrels between clans was the policy of the government, which took a dramatic form in the combat of Highlanders before the 1396
king on the North Inch of Perth.

Henry VII., as might have been expected from his character, dealt with the Scotch question in the spirit of 1485–1509
cool diplomacy, and he was in a fair way to success. Henry VIII. in dealing with it gave way to arrogant 1509–1547
passion. The marriage at last projected between his son and the heiress of Scotland seemed likely to do what might have been done by the marriage of the heir of Edward I. with the Maid of Norway. But the rash attempt of the Protector, Somerset, to enforce the nuptials, while it brought him the laurels of Pinkie Cleugh, was 1547
the ruin of his policy, and made over the hand of Mary queen of Scots to France. Critics of the policy of Edward I. say that the two nations were not then ripe for union. Were they riper after centuries of war, mutual devastation, and ever-deepening hate?

Then came the Reformation and changed all. In Scotland too a religion of sacraments and ritual had degenerated into a soulless formalism, and the magic means of salvation were bought and sold. In Scotland too the scandalous wealth of a torpid establishment, the worldliness and greed of the clergy, called aloud for reform. In Scotland too vice had entered with indolence into the monastery, and nature had avenged herself on the enforcers of priestly celibacy by substituting the concubine for the wife. Clerical abuses in a rude society, if not greater, were probably coarser and more repulsive than in Eng-

land. The people thirsted for a purer and more living faith, and thirsted for it probably all the more because their worldly estate was poor. The suffering of protestant martyrs, who were the offspring of English Lollardism, and of whom Wishart was the chief, had stirred the popular heart. Meanwhile a rapacious aristocracy thirsted for the spoils of the church. Scotch nobles had not failed to lay to heart the example set them by Henry VIII. and his partners in confiscation. Reform found a supreme
1505–1572 leader and organizer in John Knox, a man of extraordinary force and dauntless courage, a thorough-going disciple of Calvin and sworn foe of everything papal, a modern counterpart of the Hebrew prophet who put to death the prophets of Baal. Knox had opened his career as an
1546 accomplice after the fact in the slaying of Cardinal Beaton, the chief of the idolaters and the murderer of the saints. In Scotland there was no despotic Henry VIII. to curb and attenuate the protestant movement. The young queen
1542–1560 was away in France, and a foreign woman, Mary of Guise, held the reins of government as regent with a weak hand. Nor was there in Scotland a conservative middle class to temper the force of any revolution. The Reformation was carried at once to its full length by a fervid, fierce, and impetuous people. The whole catholic system, with
1560 its hierarchy and priesthood, its sacraments, its confessional, its penance and absolution, its saint-worship, its purgatory, its priestly synods and ecclesiastical courts, was swept away. If bishoprics were retained it was only that their holders might make over their lands to the nobles. The place of catholicism was taken by Calvinism,
1561 organized by Knox, with its democratic church assemblies, its preachings instead of the Mass, its austere simplicity

of worship, its rigid Sabbatarianism instead of festivals and Lent. Iconoclasm wrecked the monasteries and swept the churches. The beautiful cathedral of Glasgow, the pride of her burghers, narrowly escaped. The Lords of the Congregation, as the nobles who supported the revolution styled themselves, lent their hearty support to thorough-going changes in religion. But when it was proposed to transfer the wealth of the old church to the new ministry, they waved the proposal aside as a devout imagination, and, in the words of Knox, kept two-thirds of the fund for the devil while the other third was shared between the devil and God. The protestant ministers faced their poverty heroically, and perhaps it was their spiritual salvation. After some shiftings and oscillations, caused mainly by struggles for authority between the ministry and the lay powers, Scotland, under the guise of a monarchy, settled down into an aristocratic republic with a strong theocratic tinge. If the ministers could have had their way it would have been a theocracy indeed, the church would have been beyond the control of the civil power, and its presbytery would have exercised over life and conscience an authority not less than that of the priest, and socially perhaps even more oppressive. Scotland would have been a counterpart of Geneva under the dictatorship of Calvin. Scotch religion, however, was popular in its character. It admitted the laity to a share in church government, though in a way which identified them with the clergy. It recognized the priesthood of the head of the family, as we see it in "The Cotter's Saturday Night." It was an Old Testament religion, with the stern righteousness of the Old Testament, an Old Testament Sabbath in place of the Roman calendar, Old

Testament hatred of idolatry, with which popery was identified, and Old Testament tyrannicide. From the Old Testament, too, came the belief in witchcraft, and the mania for witch-hunting which prevailed to a hideous extent. To the catholic cathedral, or church, with its poetry in stone, succeeded the bare preaching-house; for the poetry of the catholic ritual popular psalmody was the only substitute. The result was a national character, austere, sombre, strenuous in upholding its right.

Of liberty of opinion there was little more than there had been under the old church. Presbyterianism, like episcopacy, proclaimed itself manifestly divine, and called upon the civil magistrate to give effect to its excommunications and to punish disbelief. Catholicism was persecuted in its turn; the celebration of the Mass was made penal; for the third offence the penalty was death. Still an open Bible was an advance on papal or priestly infallibility, and education, which, as necessary to the reading of the Bible, Presbyterianism strenuously fostered, was enlightenment. The life of the Scotch nation, even its political life, henceforth found an organ more in the assemblages of the church, where the people were represented, than in the parliament, where the aristocracy bore sway.

The relations of Scotland to England, her ancient enemy, on one hand, and France, her ancient ally, on the other, were at once changed by sympathy with English protestantism and antagonism to French popery, represented first by the French regent, Mary of Guise, and afterwards by the queen her daughter, a widow of France. There is henceforth a strong English party in Scotland, headed by Knox, whose feelings towards France had not been

sweetened by his experience as a prisoner in the French galleys. Hard pressed by the regent and her French soldiery, the Scotch reformers welcomed the sight of an English fleet. With England, they thrilled with horror at the massacre of St. Bartholomew, and held their forces in readiness to encounter the Spaniard if he landed from the Armada. They proposed a Scottish husband for Elizabeth in the person of the Earl of Arran, and a union of the nations. 'This,' they said, 'would be the surest bond of alliance; other devices might seem probable for a time, but they feared not for long; this would remove all doubt for ever. England need fear no loss of her pre-eminence. The laws of Scotland were derived from those of England and of one fashion. Ireland might then be reformed, and the queen of England might become the queen of the seas, and establish an ocean monarchy divided from the rest of the world.' As to the laws, strictly speaking, they were somewhat astray, the law of Scotland being more Roman, while that of England was more feudal; but as to political character and the general tendency to free institutions, they said aright.

There follows a diplomatic struggle for ascendancy in Scotland, carried on through a series of years between the English on one side, and the French interest, which is that of the catholic reaction and the house of Guise, on the other. Among the Scotch politicians there is much of faction, family enmity, personal ambition, and rapacity, though the mask of religion is worn, and conspirators include the security of the reformed church among the professed objects of a political murder. The most conspicuous figures are Murray, Mary's half-brother, a somewhat enigmatic character, by some thought as honest as he cer-

tainly was sage, who heads the protestant and English party; Kirkaldy of Grange, at one time chivalrous and loyal, though he ended not so well; and Maitland of Lethington, a subtle and restless intelligence, master of all statecraft that could be learnt from books. On the part of England, the policy of the wise counsellors of Elizabeth is curiously crossed by the waywardness and duplicity of their mistress, her feminine jealousy of the queen of Scots, on one hand, and her unwillingness to support subjects against their sovereign on the other. For some time the great question is Mary's marriage. Elizabeth, in a moment of strange caprice or self-deceit, offers to her rival her own Leicester. Mary, though a pupil of the polished and wicked court of France, is a devout catholic, and keeps up a close correspondence with Rome, her relatives the Guises, and the king of Spain. The rude remonstrances and homilies of Knox could only deepen her hatred of the Kirk, and denunciations by the populace of what they styled her idolatry would have the same effect. But she had been trained to dissimulation, and she dissembled her hatred of the reformed religion, biding her time for its overthrow and the re-establishment of the true faith. Her time might have come. The fire of the Reformation had begun to cool; for iconoclasm there was no more food; the nobles cared only for a quiet title to their church lands, for which they would probably have sold their national religion, as their fellows did in England; and the queen, young, beautiful, spirited, and enchanting, was beginning to win the heart of her people. But love ruined Mary's game and that of her patrons, by
1565 throwing her into the arms of Darnley, a handsome, foolish, worthless youth, and a catholic. There followed dark

conspiracies among the nobles; the murder, first of
Rizzio, the secret minister of the queen in her intrigues 1566
with the catholic powers, by Darnley and those who had
made a jealous boy their tool; afterwards of Darnley
himself, most likely with the complicity of the queen. 1567
Then came the scandalous marriage with Bothwell, the 1567
rebellion, the imprisonment at Lochleven, the resigna-
tion of the crown, the escape, the overthrow of Mary's
cause at Langside, her flight to England, and the tragedy 1568
with which it closed. It is needless to say that when the 1587
question of deposing her was mooted, the Hebrew theo-
crats of the Kirk eagerly pronounced sentence on a mur-
deress and adulteress. Could they have had their own
way she would have met the fate of Jezebel.

The reign of James himself in Scotland had been a minority of disorder, followed by the sway of a vicious favourite and by a series of cabals, conspiracies, judicial murders, and private wars, in which no respect was shown for the royal person.

The crowns were now united. Philosophic statesmanship in the person of Bacon desired a closer union, and the king had largeness of mind enough to enter into Bacon's views. Without an incorporating union it was certain that the lesser kingdom would be a satrapy. But national prejudice on both sides, especially on the side of England, after centuries of enmity and frequent warfare, was still too strong. Enactments directly hostile were repealed, and the judges, making law, decided that natives of Scotland born since the king's accession were not aliens in England. No more for the present could high statesmanship attain.

In Ireland the hideous struggle between the native

barbarian and the half-civilized invader had gone on for four centuries with the usual horrors of such struggles. To the war of races the Reformation, by turning the invaders protestant, had added a war of religion. Ireland had been drawn into the vortex of the great European struggle between the two creeds. Spain, to which she looked across the Bay of Biscay, had marked in her a point of vantage for attack on England. More than once Spanish troops had landed on the Irish coast. At Smer-
1580 wick a body of them had surrendered to the Lord Deputy Grey, Spenser's "Artegal," and had been put to the sword in cold blood with a ruthlessness which rivalled Alva or Parma. This had lent a spur to English conquest, which had been pressed forward during the reign of Elizabeth with the steady aim and centralized power of the Tudor monarchy, but with forces stinted by the demands of the continental conflict and by the parsimony of the queen. Nothing could exceed the atrocities of the perennial struggle, in which the natives were treated by the invaders as vermin to be extirpated, any means being lawful for their destruction. From the Pale, the narrow sphere of their dominion, as from a citadel, the deputies swept the country with periodical hostings or raids, leaving in their track desolation, famine, corpses rotting on the ground, and wretches feeding on human flesh. While the eagles of adventure took wing for the Spanish main, the vultures swooped on Ireland and fleshed their beaks in her vitals. The septs meantime in themselves advanced not beyond their tribal state. They showed no tendency to coalesce into a nation. While the invader was warring on them all, they continued to war upon each other, and it was doubtful whether, had the invader not been there,

much less desolation and barbarism would have been produced by tribal feuds. Nor were the tyranny and the lawless exactions of the chiefs, with their robber bands of gallowglasses, less oppressive probably than those of the conqueror, or their bearing towards dependents less insolent than his. The great chiefs had assumed a character between tribal chieftainry and feudal lordship, and perhaps worse for the people than either, saving that in the relation to the chief something might remain of the clan sentiment to which there was no counterpart in the case of the feudal lord. Common ownership of the land had become little more than an idea, though an idea still cherished in the native mind. Savages, or little better than savages, economically, socially, and morally, the tribes at all events, remained. Marriage was scarcely held sacred among them. The common, or rather insecure, ownership of land, which is part of the tribal system, was fatal in Ireland, as it has been elsewhere, to agriculture, to which, moreover, the climate was unpropitious, being generally far more suited to pasture than to the raising of grain.

The importation of protestantism in its Tudor form into Ireland was a total failure. Against protestantism of the more enthusiastic kind the heart of the Celt is not closed. In the Highlands of Scotland he is a fervid Presbyterian; in Wales a fervid Methodist. Even in Ireland ardent preaching has been known to win him. But the Tudor compromise, with its politic coldness and formality, suited him not. Besides, it was the religion of the invader, and its liturgy was in an alien tongue. Nor was the Anglican church in Ireland missionary in its early, any more than in its later, day. It was a church

of English ascendancy, of political party, of persecution, and of plunder. An archbishop of Cashel held, in addition to his archbishopric, three bishoprics and seventy-seven benefices. Simony as well as pluralism was rampant. Patrons put horseboys into benefices and themselves took the income. Churches by scores lay in ruins. The only propagandism which the Anglican hierarchy in Ireland attempted was that of intolerant legislation which, being feebly carried into effect, but embittered hatred. The Irish Celt clung more than ever to his own religion and to his connection with Rome, while the catholic priesthood became rude tribunes of the people, and natural enemies of the government.

At last the sword of comparative civilization prevailed.
1599 The Lord Deputy Mountjoy hit upon the true military policy, which was not that of raids, but that of bridling each district with a permanent fort. The last great chiefs, after making their submission, bearing English titles as earls of Tyrone and Tyrconnel, and being enlisted as auxiliaries of the government, found that English law encroached on their rude domination, flung off their earldoms, returned to their Irishry, rebelled or conspired, were driven into exile, and forfeited their lands. At the same time a better and more statesmanlike spirit began to prevail among the conquerors. Its highest representa-
1604 tives were the Lord Deputy, Sir Arthur Chichester, and the lawyer, Sir John Davies, author of a famous treatise on Irish government. These men addressed themselves to the work of civilization, backed by the English government with good will, though with imperfect light. The process was now completed of turning the land of Ireland legally from tribal into shire-land, with individual

instead of tribal ownership and security of tenure, under the rules of the English law, which, though themselves half-feudal and somewhat barbarous, were yet propitious to agriculture compared with the tribal system. The people were all solemnly assured for the future of freedom from the insolence and exaction of the chiefs, of the impartial care of the government, and of equality before the law. In the words of the Lord Deputy's proclamation, "Every Irishman, his wife, and his children, were thenceforth the free, natural, and immediate subjects of his majesty, and not to be reputed the natives, or serfs, of any other lord or chieftain, and were to understand that his majesty could and would make the meanest of his subjects who deserved it by his loyalty and virtue as great and mighty a person as the best and chiefest of the lords." The Celt feels the benefit of good government as well as the Teuton, albeit he may not be quite so capable of giving it to himself, and he appreciates justice like other men. We are told that the Irish welcomed the happy change and flocked to the courts where impartial justice was administered, though optimists may have taken for grateful enthusiasm that which was little more than gregarious curiosity. Davies tells us that the wild inhabitants wondered as much to see the king's deputy as Virgil's ghosts wondered to see Æneas alive in hell. To extend parliamentary institutions to Celtic Ireland, just emerging from tribalism, was an undertaking the arduous character of which was less apparent to the statesmen of those days than it is to us who understand diversities of national character and stages of political development. The necessity of preserving English and protestant ascendancy, however, was felt, and the representation was

duly manipulated for that purpose. When the first par-
1613 liament of all Ireland met at Dublin there was a division on the election of the speaker. The majority went out into the lobby. The minority, remaining in the House, elected its man, and seated him in the chair. The majority on its return seated its man in the other man's lap. It is easy to deride the ignorance of political philosophy betrayed in thrusting representative institutions on a race unparliamentary by nature and destitute of political training. It is easy to declaim about adapting institutions to national feelings and character. It is not so easy to say precisely what ought to have been done. Civilization could not be grafted on tribalism; nor was any attempt made to graft it on tribalism in the case either of the Scotch or the Welsh Celt. Perhaps the rule of a just and sympathetic despot, like Chichester, with law officers like Sir John Davies, would have been best, at least till the apparition of order and justice had become less strange in Ireland than the apparition of Æneas in the realm of ghosts.

The flight and attainder of the rebel earls, and the suppression of the subsequent rebellion of O'Dogherty had
1611 been followed by a great forfeiture of lands in Ulster to the crown. This violated the notion that the land belonged not to the chief, but to the sept, which was still ingrained in the Irish heart, though it appears that, in fact, the joint ownership, like the practice of annual redivision, had become a thing of the past, and had been superseded by a virtual lordship of the chief. It is not probable that mere forfeiture would have produced any great shock. It was otherwise when the forfeited land was colonized or "planted," as the phrase then was, with

English and Scotch, while the native Irish were driven out to make room, or reduced to the condition of Gibeonites under the stranger. This, which amounted to the creation of another Pale, seems to some to have been a fatal error and the main source of the calamities which followed; though it is not denied that industry both agricultural and textile came into Ulster with the colony, nor can the statesmen of that time be much blamed for thinking that the readiest mode of teaching the people the arts of life was the exhibition of this practical example. A more palpable error was the persecution of the native religion, which inevitably made the priest, who had the key to the hearts of the people, a conspirator against the government. The excellent and sensible Chichester left to himself would have abjured persecution. Anxious as he was for the introduction of protestantism, his policy would have been that of a missionary church. But the state bishops insisted on legal compulsion and they prevailed with the government in England. On every side we are met by the consequences of the union of the church with the state, and the entanglement of the real duty of government with its supposed duty of maintaining and enforcing the true religion.

The European struggle between protestantism and catholicism is now far advanced and the outlines of the final partition begin to appear. The Teuton as a rule is protestant. He is strong-minded and seeks, not like the southern son of the Renaissance, beauty, but the truth. If he remains a catholic, it is under special influence, as the four mountain Cantons of Switzerland are secured to the ancient faith by their isolation, their simplicity, and

their jealousy of protestant Berne; or as part of Germany is kept catholic by the power of princes, some of them ecclesiastical, supported by the Empire in the hands of the catholic house of Austria, which will presently crush protestantism in its hereditary domain. The intrigue of the Jesuit, creeping to the ear of kings or their favourites, getting the education of the rich into his hands by his mastery of classical culture and polite accomplishments, winning spiritual dictatorship by his skill as a confessor and pliancy as a casuist, has everywhere seconded, perhaps more than seconded, the catholic sword. Rome, too, has been shamed and frightened into reform; has purged herself of some at least of her scandals; has called again upon the religious enthusiasm of her children; has produced Carlo Borromeo, St. Francis de Sales, Xavier, St. Theresa. In Spain the Reformation has been utterly extinguished by the Inquisition, whose success is a black testimony to the policy of thorough-going persecution. In France the Catholic League, with Spain at its back, has been beaten, and the ex-Huguenot, Henry IV., is king. But he has paid for his kingdom with a Mass, which, all securities for Huguenot privilege notwithstanding, will prove the surrender of his cause, and, when bigotry has mounted the French throne, the death of his religion. Italy, always the land, not of the Reformation, but the Renaissance, the fiery life of her municipal republics now extinct, the voices of Savonarola and Giordano Bruno silenced by the papal executioner, is sinking beneath papal, Medicean, or Spanish rule into a long sleep of voluptuous slavery with dreams of art. Holland, freed by a struggle unsurpassed in history for heroism from Spanish rule, is protestant and the foremost

of thoroughly protestant powers; while, thanks to the fatal strategy of Parma, the Teutons of Flanders as well as the Walloons have fallen back under the Spanish and papal yoke. Protestant are the Scandinavian kingdoms; the Teutons of Germany, where they are not controlled by catholic princes; Berne and other Teutonic Cantons of Switzerland, the land of Zwingli. Intensely protestant are the people of Teutonic Scotland. In Slavonic Bohemia, the land of Huss and Ziska, the great cup of Utraquism still surmounts the churches; protestantism still reigns in the hearts of the people and animates a fierce nobility in the struggle for its privileges against the Imperial house of which the kingdom of Bohemia has become an appanage; but the Jesuit is at work. This is the crater from which will presently burst the last great eruption of the fires of religious revolution. Destruction of the false religion, with its idols and its scandals, which was the easiest part of the work, protestantism has done; the reconstruction of true religion is harder; the zeal of iconoclasm is becoming spent; the catholic church offers certainty and unity, powerful attractions then as now to all but the strongest minds.

The council of Trent has stereotyped Roman catholicism in its modern form, the Roman catholicism of Loyola, Suarez, and the tinsel Jesuit fane, not of Anselm or Thomas Aquinas, and the Gothic cathedral. It has drawn between the Tridentine faith and protestantism an impassable line. Rome has repudiated the cardinal doctrine of protestantism, justification by faith. All attempts at reunion or compromise, such as the gentle spirits of Contarini, Pole, and Erasmus made, are at an end. The religious confederation of Christendom is broken up for ever. 1545-1563

Spain is still in the eyes of protestants the great catholic power and the arch enemy of light and truth. But her strength has been sapped by despotism, the Inquisition, the diversion of energy from industry to empire, the drain of widely extended empire itself, monarchism with mendicity in its train, the absorption of wealth by the church, social pride which despised labour, and a false commercial system. She is an enfeebled colossus fast sinking into decrepitude. Little remains of her once towering might but her highly trained infantry, which will hold the field
1643 till it is destroyed at Rocroy. She is propped, however, for the present, by her connection with the Empire, held by the other branch of her royal house. France is the rising power. She will soon come into the hands of Richelieu, who will quell her anarchical aristocracy, put an end by a policy of toleration to her domestic wars of religion, make her a centralized monarchy, and in her turn the terror and tyrant of the world. To Spain she is now a rival and hostile power. Thus the house of catholicism is divided against itself. But the house of protestantism is also divided against itself by dissensions between hostile sects, the Lutheran and the Calvinist, to which the exercise of private judgment, untempered by tolerance, has inevitably given birth; while the national church of England, wavering in its character, stands apart from the rest of the Christian world.

Religious zeal begins to cool; policy among the masters of the world is gaining ascendancy as a motive power over religion; the era is one of transition from religious to political and territorial war. Henry IV. of France is above all things a politician, and his victory is for the time that of national interest over that of faction. Riche-

lieu's test will be loyalty, not orthodoxy; cardinal though he is, he will let you go to Mass or to preaching as you please, provided you obey him and the king. He sees in Spain not the bulwark of the true faith, but the power which stands in the way of French aggrandizement. He will not scruple to support protestants against the catholic house of Austria. Heresy is beginning to be persecuted less as theological error than as political disturbance. The settlement of Germany on the principle that the religion of each state is to be determined by its own government betrays a subsidence of the uncompromising struggle for truth.

As a rule, catholicism and despotism, protestantism and political freedom go together. Holland and Switzerland are republics, though Holland has in the Stadtholderate vested in the House of Orange a popular monarchy in reserve which she calls to the front when public danger demands a chief. Scotland is almost an aristocratic republic. In the protestant countries generally the tendency appears, and will in the end, though perhaps after the lapse of centuries, prevail.

England had been confirmed in protestantism by her conflict with Spain and the Jesuits. The most vigorous and progressive element in her above all is protestant to the core. The catholics are still numerous, and count among them some of the nobility; but they are prostrate, and here, where they are weak, they are suffering under the persecution which they inflict wherever they are strong. In the constitution and liturgy of the Anglican church, however, a germ of reaction is left. The episcopate remains and is hierarchical, though for some time in doctrine Calvinist. The religion of compromise which

Elizabeth's government had framed for the nation might have worked well and proved a triumph of statesmanship if in religious belief, as well as in politics, compromise had place. It might hold in a time of suspended thought, while the soul of the nation was in the struggle with foes abroad. But when in each of the two sections life awoke, the Puritan parted company with the Anglo-Catholic, and a fight between them for the national church began. By
1664 *circ.* the primates Whitgift and Bancroft, especially by Bancroft, to whom modern high churchmanship looks back as its historic leader, the crozier was uplifted once more. Sacerdotalism, sacramentalism, and ritualism began to creep back under the cover of ambiguous formularies and names. Calvinism, which makes the relation between God and each man direct, began to give way to Arminianism or the doctrine of free-will, which lets in the media-
1592–1597 tion of the church. Hooker, in his famous treatise, gave Anglicanism a body, and a body highly attractive to liberal and cultivated minds. If in the "Ecclesiastical Polity" high churchmanship is not directly preached, it is with all the more subtle potency instilled, as in our day
1863 Keble felt when, as an apostle of Neo-Catholicism, he re-edited Hooker. The forms of the churches themselves made and have continued in our own day to make for the high church party. They were built for sacramental worship; while the charm of their medieval beauty lures to the ancient faith. On the other hand, the Puritan, offended and alarmed by the revival of hierarchy and ritual, recoiled further than ever from catholicism and insisted that the church should be cleansed of its last traces. Identifying Arminianism with catholicism he became more intensely Calvinist than ever, and

more than ever insisted on the directness of the relation between God and the individual man. The catholics had on their side tradition, order and reverence. The Puritan had his open Bible and, within biblical limits, his allegiance to the sovereignty of truth.

Political party, if it was not identical with religious party, followed largely the same lines. Severed from the Roman centre of ecclesiastical authority, the Anglican priesthood had no support but the throne, to which it clung with a loyalty often servile, giving to the king, as its head, in fact, more than a catholic in the middle ages would have given to the pope. Jesuitism, with a centre of support above monarchies, had preached tyrannicide; Anglicanism, having no centre of support but the monarchy, preached passive obedience and divine right. Loyalty, more than anything taught in the Gospel, became its special mark. The king on his part was not less strongly drawn towards a church which upheld his absolute sovereignty and almost his divinity, of which he was the head, the bishops of which were his creatures, and whose pulpits, organs of opinion before the existence of a press, he could tune to any air that he pleased. The Puritan, independent in spirit and a rebel against ecclesiastical authority, was inclined to republicanism veiled in constitutional drapery, sometimes even to republicanism unveiled.

Monarchy in England was parliamentary and protestant. Yet it failed not to feel its natural bias towards the absolutism of surrounding royalties, and, though less consciously, towards the religion of kings. Pride made it scorn to be less than the mate of the monarchies of France and Spain. But its official protestantism severed

it from the catholic group, deprived it of the sympathy and support of its fellows, and, conflicting with its latent tendencies to catholicism, made its foreign policy fatally incongruous, variable, and weak.

The hour has come of a decisive struggle between the crown and the House of Commons for the sovereign power, which must rest somewhere, and, however it may be self-regulated and self-controlled in its action, cannot really be divided. In theory the crown is sovereign. This, the Commons, in language always fervently loyal, admit, and the kings, when they insist on their sovereignty, are entitled to the benefit of the admission. It was the leader of the opposition who said that parliament was the body, the king the spirit, the breath of their nostrils, and the bond by which they were tied together. But practically the House of Commons is laying its hands upon supreme power. Its engine is command of the supplies, without which, the domains of the crown and its sources of revenue other than parliamentary taxation having been reduced, while the expenditure has been greatly increased, government cannot be carried on.

The House of Commons has by this time thoroughly awakened from its Tudor trance. It represents a landed proprietary, reinforced by purchasers of the dispersed church estates, and including a large number of freehold yeomen, together with the chief burghers of the towns, in whose hands the borough elections mainly are. The labouring masses are unrepresented, but the House roughly represents the enfranchised and political nation. If local magnates exert a commanding influence in elections, even for boroughs, they must in some measure

consult the wishes of constituencies so sturdy and strong. The House has studied its own archives and learned what its powers and privileges had been under Lancastrian kings. Among its members are lawyers not a few, representatives of a powerful profession, experts in constitutional as well as in general law. Already in Elizabeth's reign it had asserted, and partly made good, in spite of the queen's jealousy and rebukes, its right of dealing with the highest questions both of state and church. The queen, who would gladly have ruled without it, and strove by parsimony to keep herself independent of its grants, was compelled by her perils to lean upon it, and to fence with its growing pretensions rather than to put them down. It has acquired a certain degree of corporate consciousness and persistency of aim. It is finding regular leaders devoted to parliamentary life and qualified to wrestle with the ministers of the crown, to whom hitherto statesmanship has been confined. Influence in the elections to it has become a paramount object of the crown, some of whose ministers, Bacon among the number, take seats in the Commons as managers for the court. The petty 1584
boroughs which are created as seats for court nominees, and of which in Cornwall there is a large group, become the parliamentary nuisance and scandal of after times.

We must be just to the monarchists. The government of an enlightened and patriotic king might even to a liberal mind seem better than that of a popular assembly convened at irregular intervals, containing much ignorance and prejudice, sometimes largely composed of new and inexperienced members, uninstructed as yet by a political press, ill-informed about foreign affairs, apt to be carried away by sudden impulse or clamour, and decid-

ing all questions by a majority apt to be factious, without the safeguard of personal responsibility. The ideal of Bacon, the great political philosopher, as well as the great natural philosopher of the day, was a patriotic monarchy informed and advised by a loyal parliament, with judges who were not to be the parliament's interpreters, but as lions supporting the throne. For this plan there might have been something to say if Bacon could have named the king, though to the body of the nation autocracy, however ideal, denies political life.

Neither party, it must be borne in mind, was free from the fallacy of church establishment. Both alike believed in the necessity of a national church, in the duty of the subject to conform, and in that of the ruler to enforce conformity. Political government in the hands of both alike was entangled with the alien work of regulating religious belief and worship. Both parties in turn persecuted, though in a proportion inverse to their Christianity, and with a growing tendency on the part of the more Christian of the two to toleration and ultimately to liberty. Only on the minds of a few lonely thinkers or hunted sectaries had the idea of religious liberty as yet dawned. The Presbyterian, with his Old Testament notions of national orthodoxy and with his hatred of idolatry, which he imputed to the Roman catholics, was a persecutor second in fanaticism only to the Roman catholics themselves. Cartwright, the leading Presbyterian of Elizabeth's reign, was ready to burn heretics.

James I. of England and VI. of Scotland, set by the chance of hereditary succession to play the part of king at this crisis, is the butt of history as a learned fool fancy-

ing himself the Solomon of kingcraft. His learning, which was real, and which he owed to the tuition of Buchanan, did him no harm, though he made absurd displays of it, and was not saved by it from abject belief in witchcraft. It enabled him to enter into the ideas of Bacon. Perhaps its influence in raising him above vulgar passions had something to do with the policy of peace, which was his best point as a ruler. Nor was he by any means devoid of Scotch shrewdness or of native humour. He often said wise things, if he seldom did them. He was kind-hearted, good-tempered, and, as a private man, would have most likely shambled through life an amiable though laughable pedant. But he was thoroughly weak, and destiny brought him to show his weakness on a throne, where it led him into public acts of folly, sometimes into public crimes. He was in his mother's womb when Rizzio was torn by murderers from her arms. His figure was unkingly, his gait unsteady, his tongue too large for his mouth. His Scotch accent, which now would be not unpleasing, then grated on English ears, reminding a proud and prejudiced race that he was a stranger. To his natural grotesqueness he added that of a dress ridiculously stuffed and padded. He was awkward and ungainly in all that he did. Devoted to hunting, he had a loose seat on horseback, and we behold him tilted out of his saddle into the New River, with nothing to be seen of him but his boots. James meant no evil. He meant some good, and he has had hard measure compared with the strong and brilliant enemies of mankind. Vanity was his ruling passion; to display the kingcraft on which he comically prided himself was his great delight; he was far from being by nature a tyrant; he had

formed no deliberate schemes of usurpation; probably he doted on the forms and names fully as much as on the substance and the exercise of power.

For the government of a constitutional kingdom and of a race generally law-abiding, James's training had been bad. In Scotland he had feebly wrestled with the lawless violence of the Scotch nobles on one hand, and with the theocratic pretensions of the ministry on the other. He had been told when rude treatment had drawn tears from his eyes that it was better that children should weep than bearded men. He was not likely to
1600 forget the day of the Gowrie conspiracy, on which, lured by a feigned tale of treasure trove into a lonely chamber of a Scotch nobleman's castle, he found himself suddenly collared by his host, and if his cries had not just in time been heard, would probably have been abducted if not murdered. His ideas of justice were such as prevailed on the Scotch border. On the threshold of his new kingdom he shocked English legality by ordering a cutpurse to be hanged without trial.

A fatal part of James's weakness was his addiction to favourites, whom he chose for their good looks and for the lively spirits which accompany robustness and in which he was himself wanting. In Scotland he had fallen into the arms of a handsome and engaging scoun-
1580 drel named Stewart, whom he made Earl of Arran, and who disgraced him by rapacity and outrage. In England he fell into the arms of Carr, a young Scotch adventurer,
1615 whom he made Earl of Somerset, and afterwards of Villiers, a young English adventurer, who was created Earl and then Duke of Buckingham. These youths he made not only his companions, but his ministers, putting

his patronage, himself, and the state into their hands. But during the early part of his reign the king had an able, experienced, and most industrious prime minister in Robert Cecil, Earl of Salisbury, the second son of Burghley, and a legacy from the council of Elizabeth, whose unremitting toil, both in diplomacy and finance, partly countervailed the folly and wastefulness of the court. A strange light is thrown on the public morality of the age when we find that this conscientious servant of the crown, for such he must certainly be held to have been, was a secret pensioner of Spain. When, worn out by toil and anxiety, Cecil died, the favourite reigned supreme. It was a period at which royalty, no longer, as in the middle ages, leading armies, toiling in council, or administering justice in person, was inclined to withdraw behind the curtain of its harem and cast the burden of government on a vizier. But Richelieu and Mazarin were statesmen, and even the Spanish Lerma, Olivares, and Lewis de Haro were statesmen of a lower kind, not favourites like Somerset or the youthful Buckingham.

1603–1612

1612

There was another man at James's side, one whose large mind had formed plans for the establishment of a monarchy on a throne of light, for the union of Scotland with England, for the civilization of Ireland, for the liberal reform of the law, for the pacification of the church by a policy of comprehension, for the extension of England by colonization. He had a king not incapable of understanding him. What was it that prevented Bacon from grasping power, that caused him to be, as plainly he was, somewhat lightly esteemed by the masters of the state, and at last abandoned by them to impeachment and disgrace? To men of business like Cecil, he

probably seemed too much of a philosopher. But the assiduous scheming and craving for court favour which led him to such compliances as prosecuting his benefactor Essex, taking part in the illegal torture of Peacham, offering the incense of adulation to Somerset and his vile wife, and acting as the king's tool in the case of the Overbury trial, could hardly fail to lower him even in the eyes of those to whom he cringed. He rose to the highest place in the law, but instead of realizing his political ideal, and being the prime minister of a Solomon, he was condemned to be a flatterer of James Stuart and the courtier of Somerset and Buckingham. Yet his political philosophy lives. It has in it an element which is valuable for all times.

James had been bred in Scotland a strict Calvinist and had written a treatise to prove that the pope was Anti-Christ. But he had been crossed, browbeaten, and bored by the theocratic preachers of his native land. They had set their spiritual power against his royalty. When he questioned their authority at a conference, Melville, their leader, seized him by the sleeve and, calling him "God's silly vassal," told him that there were two kings and two kingdoms in Scotland, that Christ Jesus was a King, and king James was his subject, that Christ's kingdom was the church, of which king James was not a king, nor a lord, nor a head, but a member, and that they whom Christ had called and commanded to watch over the church and govern that spiritual kingdom had of him authority and power which no Christian king or prince could control, but which it was their duty to fortify and assist. Such was the style of these heroic but too high-aspiring men, who demanded that the church, of which they were the leaders and the soul, should be above

secular law and rule in all things which they thought fit to regard as pertaining not to Cæsar but to God. It was papal theocracy recurring in another form, though tempered by the democratic character of the Scotch church. James had striven to put the preachers down, and had been helped by the jealousy of the lay nobles. The great fact that the bishop was the only true friend of the king had dawned on his philosophic mind. "No bishop no king," was thenceforward his motto. As king of England he threw himself at once into the arms of the hierarchy. A deputation of the puritan clergy came to him at Hampton Court with a petition called, from the reputed 1604
number of signatures, the Millenary Petition, praying for the abolition of forms and customs such as the sign of the cross in baptism, the use of the ring in marriage, the private baptism of infants in danger of death, the compulsory use of the cap and surplice, and the communion without sermon or previous examination, things which, though trivial in themselves, they not without reason regarded as symbols of Roman catholicism and warrants for reaction. They demanded also the discontinuance of lessons from the Apocrypha, which had no sanction but that of the church. They demanded liberty of work on church holidays, and at the same time the strict observance of what they regarded as the Sabbath. They demanded the erasure from the liturgy of equivocal terms, such as that of "priest," the use of which instead of the Gospel word "presbyter" has, in fact, produced momentous effects. The king, to whom the very name of presbyter was a bugbear, refused their prayer in terms grossly insulting, and was told by the bishops that he had spoken by the inspiration of God. The primate fell on his knees and,

with good reason, thanked God for having sent them such a king. James enforced strict conformity, and many puritan clergymen gave up their livings. Ten of those who had signed the Millenary Petition were imprisoned. In justice let it be remembered that the framers of the petition also insisted upon conformity, and on the suppression of opinions deemed heresies by them. Neither side was for liberty, though it was from Puritanism that liberty had most to hope. James afterwards went to Scotland, and, with the help of an aristocracy always
1617 jealous of the ministers, restored episcopacy, though weak and unmitred, there. Ritual he would fain have restored, but the resistance was too strong. One fruit the Hampton conference bore. It led to the preparation,
1611 under the king's auspices, of that revised version of the Bible, which, like the dramas of Shakespeare, and more than Shakespeare's dramas, has united all who speak the English tongue, and by its influence on character, public as well as private, claims a leading place, not only in religious and intellectual, but in political history.

If "No bishop no king" was henceforth the motto of the monarchy, the responsive motto of the hierarchy was
1606 "No king no bishop." In 1606 the clergy in convocation drew up a set of canons embodying the absolutist creed, declaring the origin of government patriarchal, proclaiming kingship with its prerogatives a birthright, affirming passive obedience to be due in all cases, without exception, to the king, and pronouncing anathemas on all dissenters. Dr. Cowell, an ecclesiastical lawyer,
1607 presently followed with his law dictionary, laying it down that the king, by his absolute power, was above the law; that if he admitted parliament to a share in

legislation it was of his mere benignity; that he might alter the law at his discretion, and was himself not bound by it. That the king, after granting the subject laws and liberties, retained a reserve of absolute power, was the fundamental assumption of the party of prerogative, and, as has been said, might derive colour from the form of the Great Charter, which is a grant by the king. Dr. Cowell's manifesto, however, raised a storm; the House of Commons took his law dictionary in hand, 1610
and it was suppressed by proclamation. Of the high church hierarchs Andrewes alone is known to have preserved something of his Christian dignity and independence. As he and Bishop Neile stood behind the king's chair at dinner, James asked them whether he could not take his subjects' money when he wanted it without all that formality in parliament. "God forbid, Sir, but you should," said Neile; "you are the breath of our nostrils." Andrewes replied at first that he had no skill for parliamentary cases, but being pressed, "Then, Sir," said he, "I think it lawful for you to take my brother Neile's money, because he offers it."

To the catholics James, in spite of his anti-papal treatise, was inclined to show favour. It was their divided allegiance rather than their erroneous faith that he abhorred. As a candidate for the succession to the crown he had courted their support, and even the support of their head, in a way which showed that he deemed them powerful as a party. They now lay under the harrow of a cruel penal law. Celebration of the Mass was death; récusancy, that is, failure to attend the established worship, was fine and forfeiture. James was disposed to toleration; not indisposed even to reunion

on certain terms with the church which was that of his brother monarchs and to which his queen was believed secretly to incline. The part of mediator and peacemaker was always to his mind. He cherished the fancy that if he could get rid of the priests and the Jesuits the lay catholics would be loyal and conform. Of the priests and Jesuits he never would have got rid. In many of the old manor houses of England there are secret closets behind chimneys or movable panels, with concealed apertures for the introduction of food, in which the priest or Jesuit once was hidden while he stole from one mansion to another at the risk of his life, celebrating the Mass, keeping alive the flame of catholic zeal, and not seldom weaving catholic conspiracy. Banished under whatever penalties, he would have found his way back into heretic England in spite of the gallows and the quartering knife, as in heathen lands he found his way to the souls which he wished to save in spite of the tomahawks of the Iroquois. But James could not enter on the path of concession without awakening the alarm and wrath of a nation which had learned to regard English catholicism as the vanguard of its foreign enemies, ever ready to rise at their call, and held down only by the penal law. He was scared, too, by the discovery of an abortive plot against his succession to the throne; while his courtiers, if not his own exchequer, hungered for the fines. The
1604 penal laws were put in force, and more than five thousand convictions of recusancy followed.

This increased the excitement among the catholics, which the uncertainties of the succession to the crown and the gleam of hope for a catholic dynasty had bred. There were two kinds of catholics, although the nation,

blind with hatred and fear, failed to distinguish them from each other. There were catholics of the old school, survivors of the church of the middle ages, who, while they clave to the ancient faith, were more Englishmen than catholics, and had nobly shown it when their country was threatened by the Armada. Catholicism of this stamp lingered long in the old families of England. It lingered to the day, midway in the present century, on which the Duke of Norfolk, the head of the old catholic nobility, renounced Roman catholicism in patriotic dis- 1851
gust at Papal Aggression. But there were catholics of another school, like the Ultramontanes of the present day, more papal than English, pupils of the Jesuit, and ready to join the papal invader against the country. Among these was formed a conspiracy for blowing up the two Houses of Parliament, the vengeful memory of which, 1605
reawakened on each Guy Fawkes' day almost to our own time, long helped to put off the liberation of the catholics from the fetters of the penal law. The desperado who led the conspiracy and gave it his name was a hero in his evil way. He kept his post as watchman at the mine even when the secret had been betrayed, and he held out against the torture till his frame had been so shattered that he could scarcely sign his name. One Jesuit, Garnett, suffered for complicity in the plot; he had the 1606
Jesuit treatise on equivocation in his hands. Other Jesuits were in the background. Unlike most of the catholic plots, this was well laid. Nothing but the desire of the conspirators to save the catholic lords who, exempted by their rank from the common lot of their communion, retained their seats in parliament, averted a catastrophe which would have ranked with the St. Bar-

tholomew. The comrades of Guy Fawkes lacked the thorough-going zeal and faith of that exterminator of the Albigenses, who, when heretics and catholics had become indistinguishably mixed together, cried, "Kill them all and God will know his own." Parliament, however, would have lived and would have set a son of James upon a fiercely protestant throne. The immediate result would probably have been a massacre of the catholics. There followed inevitably a fierce renewal of panic hatred and
1606 an increase of severity in the application of the penal laws. Now, too, to the test of attendance at established worship was added that of reception of the sacrament at the hands of a state clergyman, a hideous profanation of the rite of Christian love. As often as the court is suspected of lenity to catholicism, or of leaning towards it, the cause of freedom is traduced and dishonoured by horrible calls from parliament for the execution of priests. These, be it remembered, were the days, not of the Prisoner of the Vatican, with his spent thunderbolts and his harmless allocutions, but of the St. Bartholomew, the Armada, the persecution in the Netherlands, the assassinations of William the Silent and Henry IV., the Babington Conspiracy, and the Gunpowder Plot. The assassin-
1610 ation of Henry IV., with Jesuitism if not Jesuits again in the background, intensified the panic rage which the Gunpowder Plot had raised. The English catholics suffered in a still further sharpening of the edge of the penal laws for the crimes of a European party to which only one section of them, and that the smallest, really belonged.

The field of decisive battle for the supreme power was sure to be finance. Could the king find means of carrying on his government without coming to parliament for

supplies? If he could, he was the master. Parliament met only at his pleasure, and by his will it could at any time be dissolved. The country was at this time prosperous, its wealth was increasing, and there was no danger of general disaffection. It was barely possible that by avoiding war and observing strict frugality, James might have lived of his own. He had the estates of the crown with wardships, escheats, and fines, and other non-parliamentary resources, including the sale of peerages, payments for which were entered in the books of the exchequer, and of baronetcies, a new order of hereditary 1611
half-nobility invented for a financial purpose. He had regular import duties, tonnage and poundage, granted by parliament at the commencement of each reign, and the product of which was increasing with the trade of the country. To keep out of war James was well inclined. But frugal it was not in him to be. He persisted in squandering money on plate and jewels. He was too good-natured to say nay to greedy favourites and courtiers. He flung twenty-thousand pounds at once to Scotch parasites, who as foreign interlopers were odious to the nation, receiving no service in return. He gave away the estates of the crown, and when, conscious of his own weakness, he tried to tie his own hands by entailing the estates, the courtiers, instead of asking for land, asked for cash and obtained it. To add to his embarrassments he had inherited a debt from the last reign, and in England funding was not then known.

At least as important, however, as political or financial reform in the eyes of the Commons was the defence of protestantism in the church. Non-conformity, such as that of the Brownists, had ceased to exist or was going

into religious exile. The struggle was now against clerical reaction and episcopal usurpation within the establishment. Of the House of Commons two-thirds were Puritans, that is, thorough-going protestants of the Calvinist persuasion, and though not opposed to a moderate episcopacy, were suspected by the king of Presbyterian leanings and of seeking to introduce "their confused form of polity and parity, being ever discontented with the present government and impatient to suffer any superiority, which maketh that sect unable to be suffered in any well-formed commonwealth." The king and the episcopate, as was natural, drew ever closer to each other, the king inclining to high churchmanship, the bishops exalting the prerogative by which their order was upheld and sheltered. Thus with the struggle for political liberty and self-taxation was blended the struggle about church doctrine, ritual, and government. The Gunpowder Plot and the assassination of Henry IV. seem to have sickened James of catholicism for the time. Upon the death of
1610 the high church primate Bancroft, he made Abbot, a staunch Calvinist and a rather narrow Puritan, archbishop. He seems indeed himself to have remained a Calvinist. In exercise of his authority as head of the church he sent deputies to uphold Calvinistic orthodoxy
1618–1619 against the Arminian heresy at the Synod of Dort. But he was thoroughly convinced of the truth of his own doctrine, "No bishop no king." His orthodoxy he displayed while he fearfully belied his humanity by burning two heretics, against whose murder no parliamentary enemy of Rome or friend of freedom raised his voice.

The House of Lords plays in some measure the part of a buffer between the crown and the Commons. The

Lords are not, like the Commons, Puritan. They propose Sunday for a conference with the Commons, who reply that they cannot do business on the Sabbath. Among them are some catholics. They are, of course, not democratic. But they have never recovered their feudal powers. They are no longer territorial potentates or leaders of the national force. They are simply persons of quality with large estates, to whose titles social, to whose domains local, influence is attached. The crown is the fountain of their honours. Some of them have paid round sums to make the fountain flow. Frequenting the court, they feel its influence. On the other hand, the secure possession of their rank, their wealth, and their places in parliament, gives them a large measure of independence. Some of the wealthiest of them are bound to the protestant cause by their title-deeds, while, as grandees, regarding the high places of the state as their own, they all look with jealousy on the ascendancy of ecclesiastics. The lords spiritual vote with the crown.

At the meeting of parliament, in 1604, the king put forward a claim to having disputed returns decided not by the House but in his court of chancery. This might have enabled the crown, with a servile chancellor, to pack parliament. The claim was resisted and the right of the House of Commons to be judge of its own election cases, essential to its independence, was maintained. 1604

The contest between the crown and the Commons opened with an attack of the Commons on the abuse of the feudal perquisites of the crown, wardship and purveyance. Wardships were obsolete as well as vexatious. Fiefs being no longer local offices, administrative, military, and judicial, but mere estates, there was no longer

any reason why this, more than property of any other kind, should be taken into the hands of the crown during the minority of the heir. The monarchy being no longer itinerant, as in the middle ages, but having a fixed seat and constant access to fair markets, the reason for purveyance as well as that for wardship belonged to the past. Both had become instruments of royal extortion, while of the gains, in the case of purveyance at least, more went to roguish underlings than to the king. But the first pitched battle was fought on the question
1610 of the Impositions, that is, the claim of the crown in exercise of its prerogative, without the sanction of parliament, to impose duties on merchandise brought into the kingdom. It was on its guardianship of the seas, certainly no superfluous service in those days, that the claim of the crown was founded. Bate was the patriot
1608 who, by resisting an Imposition on his currants, played the part of a forerunner of Hampden. The case having been brought before the courts, the judges decided in favour of the crown, which continued to levy the Impositions. Reasons have been given by a high authority for believing that their judgment was not bad law, at least that they might have believed it to be good. The question turned on the construction of a medieval statute, which, after the manner of those times, redressed the immediate grievance without laying down any broad principle. The decision of the judges in favour of an arbitrary impost was perhaps not so much illegal as it was unconstitutional, that is, against the spirit of English institutions, which condemned arbitrary taxation, and counter to the political progress of the nation.

In the minds of the parties to this controversy, how-

ever, the legal and the constitutional were much the same. Both king and Commons took their stand on the letter of the law. They appealed not to the rights of man or any abstract principle, but to the statute book, the law reports, the note-books of the judges. The arsenal of constitutional patriotism was the library of Cotton the antiquarian. A member, perhaps, says a bold thing about the elective origin of hereditary monarchy and the reciprocal duties of king and people, but his words are a flash of rhetoric in debate. There is a suggestion of something like the theory of social contract, but no action is really founded on it. Early in the reign, and again in 1604
a more memorable form towards the close, comes up the 1621
question whether the privileges of the Commons are the gift of the king or their own inalienable heritage. This is the nearest approach to an issue of abstract principle. Of wresting supreme power out of the hands of the king and making the government republican, the Commons never dreamed. They recognize in the king "their sovereign lord and governor," while they are in fact transferring sovereignty and supremacy to themselves. It has been often and truly said that this attachment to legal precedent is the characteristic of the English constitution, and with equal truth it is said that it deserves the praise bestowed on it only in so far as the reformers believed in the intrinsic wisdom and justice of the old law. It has the advantage of leading reformers to content themselves with repairing their own house and letting their good example do its work, instead of undertaking to rebuild the world, and bringing on a crash of world-wide ruin in the attempt.

In a political struggle which observed legal precedent,

great power was given to the judges, who became in a measure arbiters of the constitution. The judges at this time were not only appointed by the crown but removable at its pleasure, though none of them had been removed for political reasons since the beginning of Elizabeth's reign. They were not without a measure of independence. They worshipped the common law. They would have regard for the opinion of their profession. Perhaps they also felt the rising tide of national opinion. They had, however, also a devout respect for prerogative as a reserve power which, after all grants of liberty to the subject, remained inalienably in the crown.

1610 Cecil's wisdom planned a contract between the crown and the nation under which the crown would have redressed grievances by giving up wardships and purveyance, arbitrary impositions on merchandise, and other vexatious perquisites, while the nation would have paid the king's debt and assured him of a sufficient revenue for the future. But the scheme failed, not only because it was hard to agree about the money terms, but because the Commons persisted in including ecclesiastical abuses among the grievances to be redressed. Entanglement of religion with politics is the ever-present and ever-pernicious consequence of the identification of the church with the state.

The contract having miscarried and its author being in his grave, the deficit grew and the financial embarrassments of the crown became desperate. Sales of crown lands, notwithstanding the entail, sales of peerages and baronetcies, exaction of the star chamber fines, payment of an old debt by France and of war debts by the Dutch, failed to fill the gulf in the exchequer. The

crown had to go a-begging, a masterful mendicant, for gifts and loans. Little was put by an angry and Puritanical nation into the plate, and the king was forced again to call a parliament.

The parliamentary election of 1614 has been noted as a regular battle on a great question between government and opposition. The government exerted its influence to the utmost. It had a number of nomination boroughs, owing their existence to its ancient prerogative, but elsewhere many of its candidates were rejected. The electors asserted their independence, and the government reaped from its attempt to control them only the odium of baffled interference. Public feeling seems partly to have overpowered even the influence of the local magnates. Three hundred new members were elected, and it is reasonably conjectured that among these were the resolute reformers of the day. Many of the number would be country gentlemen trained in county business and government. Among them were two men destined to be memorable in different ways; a rich young Yorkshire baronet, Sir Thomas Wentworth, afterwards Lord Strafford, and John Pym, a Somersetshire gentleman who had evidently fitted himself for public life, and whose guiding principle was that the best form of government is that "which doth actuate and dispose every part and member of the state to the common good." 1614

The House of Commons showed its Puritanism by going in a body to receive the communion at St. Margaret's church, avoiding Westminster Abbey for fear of "copes and wafer cakes." James, in the speech from the throne, announced that the parliament was to be a

parliament of love, of the king's love for his subjects and the love of the subjects for their king. But the morning of love was clouded by the angry question of precedence between the redress of grievances and supplies. To the grievance of Impositions, which did not fail to reappear, was added that of monopolies and that of "undertaking," that is, conspiring to tamper with the independence of members of parliament in the interest of the crown. On the subject of the Impositions the Commons tried to carry the Lords with them, and requested a conference for that purpose. The Lords refused, though by only a majority of about forty to thirty, sixteen of the majority being bishops. Then Bishop Neile, the most hateful of ecclesiastical sycophants, brought on, by vilifying the Commons, a tornado from which the government could escape only by dissolution. Not a single bill passed; the
1614 parliament of love ended as the "Addled Parliament."

1614 Again the king had to fall back upon benevolences wrung with difficulty from disaffected hands, impositions on merchandise, star chamber fines, sale of crown lands, sale of patents of monopoly, of peerages, of baronetcies, of offices of state; and still, with the lavishness of the court and the favourites, deficits and debt grew.

The court was recklessly extravagant, and the courtiers emulated the king. The favourite freak of one of them, Hay, was the double supper, a sumptuous array of cold meats, whisked away and replaced by hot dishes. But to waste was added debauchery, shocking not only to Puritan austerity, which looked on with angry eyes, but to common morality and decency, if we may trust a contemporary picture, even with reasonable allowance for caricature. Caricature there probably is in the narrative

of a dramatic entertainment at court, at which ladies, personating the Virtues, are disgustingly drunk. If the king himself was free from intemperance, this did not save the credit of his court. Nor was the venality of the court less notorious than its debauchery. Everybody and everything were for sale.

To debauchery and venality was added crime. There had been a child marriage arranged by family policy between Lord Essex, a son of Elizabeth's unhappy favourite, and Lady Frances Howard. The boy husband was sent to travel on the continent. Meantime his girl wife grew up into a flirt, and when he returned to claim her received him with disgust. Somerset, the king's Scotch favourite, was in love with her, and to make way for his passion, her divorce from Essex was procured on most revolting grounds. Two bishops, the prime sycophant Neile, and, strange to say, the high-church saint Andrewes, sullied themselves by complicity in a job which filled pure hearts with disgust. Somerset then married the divorced wife, and Bacon stooped to court the all-powerful favour- 1613
ite by giving a masque at the wedding. Puritanism in the person of the old Archbishop Abbot stood by and frowned its protest against the unhallowed nuptials, in which the archbishop refused to take a part. Somerset had a dependent and confidant in Sir Thomas Overbury, an adventurer of some brilliancy and mark. Overbury had either opposed the marriage from fear of the lady's influence, or in some other way had made Lady Somerset his enemy. Through her husband, who abused the royal prerogative for the purpose, Lady Somerset got him committed to the Tower, and there, by her emissaries, she 1613
poisoned him. The murder came to light. The terrible

chief justice Coke took the case in hand. Somerset and his wife were brought to trial before the peers and found
1616 guilty, as Lady Somerset undoubtedly was, though the guilt of her husband was more doubtful. Somerset before his trial threatened the king with the disclosure of a secret, and the threat threw the king into an agony of fear. Bacon, who, in the pursuit of his lofty ideal of monarchy, was forced to stoop low in his services to the actual monarch, prepared to have Somerset gagged, muffled, and carried out of court if he began to peach. Somerset, however, did not peach; the secret remains untold to this day; but mystery gave scope for the worst suspicions. Lord and Lady Somerset were reprieved and at last pardoned, while, to illustrate the justice of the
1622 day, the minor actors in the tragedy, not being persons of quality, went to the gallows.

1615 Somerset departed only to give place to another favourite, and, for the public weal, a worse. This was George Villiers, soon created Duke of Buckingham, a youth commended to the fatuous king by the same comeliness and sprightliness which had made the fortune of Somerset. From a place in the king's bed-chamber he leapt at once to the height of power, with the disposal of all the patronage of the crown, bringing with him a train of grasping relatives and dependents. Somerset had been little more than a minion. He was greedy but not ambitious, nor, except by the scandal of his elevation, dangerous to the state. He left the administration pretty much in the hands of the trained officials, men of the class of Neville, Winwood, Wotton, Lake, and Cranfield, who, if they were not statesmen, were administrators, and saved the government from confusion. But Buckingham was

of a different stamp from Somerset. He was no mere minion, but a dangerous man, brilliant, ambitious, vainglorious, impulsive, and passionate, with just capacity enough to go splendidly astray, and destined to guide the monarchy to ruin. His insolence went the length of telling an important personage to his face that he was his enemy, and would do him all the harm he could. The king he treated with impudent familiarity. His influence over James was unbounded. It is henceforth he who reigns. Bacon once more worshipped the rising sun, and tried to instil political wisdom into the youthful master of the state.

The king was now preparing for himself a fresh cause of unpopularity and of embroilment with the Puritan Commons by drawing near, in his foreign policy, to Spain. Secretly and perhaps unconsciously sympathizing with catholicism, at least in its political aspect, he would also be attracted by his vanity towards the grand monarchy which Spain still seemed to be. The thought of a matrimonial alliance was already rising in his mind. Spain sent to England as her ambassador a consummate diplomatist, the Count of Gondomar, who could wind 1617
James round his finger and lacked, for complete success, only the power of understanding free institutions and the character of a free people. A sad proof of Spanish influence was the judicial murder of the last of the Eliza- 1618
bethan heroes, Sir Walter Raleigh. With Raleigh, as with the rest of his group, enmity to Spain was a religion. At the time of the demise of the crown, his restless and scheming spirit, it seems, had dallied with an embryo plot for putting forward the claim of Arabella Stuart, whom, though she lacked primogeniture, some preferred

as a native of England to James, who was an alien. For this, Cecil, being his enemy, he had been arraigned, and
1603 had been convicted on the worthless testimony of a treacherous knave, after a trial which exceeded the usual iniquity and brutality of state trials; Coke, the attorney-general, breaking all the laws, not only of evidence, but of decency, calling the illustrious accused a monster, a viper, a spider of hell, and saying that he, the life-long foe of Spain, had a Spanish heart. Raleigh's glory, however, shielded him for a time, though, as a restless schemer and a reputed atheist, he was far from being a public favourite. He was reprieved, and instead of being sent to the block he was sent to the Tower, where this eagle was mewed up for twelve years, faintly consoling himself for the loss of action and the sea by writing history. At
1616 last he prevailed upon James, by the lure of gain, to let him make an expedition to a gold mine in Guiana, pledging himself not to fall foul of the Spaniards. Of the Spaniards, however, he did fall foul. On his return, foiled and empty-handed, Spain demanded his head, and the wretched king yielded to her demand. Raleigh was
1618 beheaded under his old sentence, though, besides the lapse of time, he had since borne the commission of the king. He met death like a man who had fought the Armada, and like one of a group which singularly blended culture and poetry with action. On the night before his execution he wrote a poetical farewell to life: —

Even such is time, that takes on trust
Our youth, our joys, our all we have,
And pays us but with age and dust;
Who in the dark and silent grave,

When we have wandered all our ways,
Shuts up the story of our days!
But from this earth, this grave, this dust,
The Lord shall raise me up, I trust!

These lines are the death-song of the Elizabethan era. They ring down the curtain on a memorable act in the drama of Humanity.

There had been one near the throne who felt for the hero, and who, when the eagle was caged, longed to set it free. The only chance of averting, or at least of delaying, the mortal duel between king and parliament was the accession of a king like Edward I., so formed by nature that his heart would beat in unison with that of his people and his aims and policy would be theirs. Prince Henry, the eldest son of James I., seemed likely to be such a king. He was a high-spirited boy, with popular tastes and sympathies. He took a lively interest in ships and ship-building; was the darling and hope of the nation, and, while he lived, a safeguard to an unpopular throne. But he died at nineteen, and the anguish of 1612
the nation expressed itself in hideous whispers of poisoning by the hated favourite, or even by the king. Henry's death made way for Charles, whose name is the knell of doom.

James was not cruel by nature, rather he was kind; but suspicion, perhaps, since the Gunpowder Plot had made him capable of cruelty. The manuscript of a sermon against him and his government was found in the study of Peacham, a minister in Somersetshire. Though the sermon was probably never intended for publication, its luckless author was absurdly accused of compassing the king's death. He was arrested and put to the rack, 1615

Bacon being present at the process. When brought to trial, he was, as a matter of course, found guilty, and escaped hanging, drawing, and quartering only by dying in prison. The reviving spirit of the House of Commons had not yet reached the juries, and in state trials the crown still enjoyed almost a Tudor license of iniquity.

The next incident in the battle of the constitution was a blow struck by the king at the independence of the judiciary in the person of chief justice Coke. This man, who had so basely and brutally served the crown in the
1603 trial of Raleigh, was nevertheless proud, intractable, and devoted with a martyr constancy to his idol, the common law, of the somewhat barbarous learning of which he was a prodigy, almost a monster. He was, besides, a deadly enemy of Bacon as well as of Bacon's philosophic jurisprudence, and by no means minded to be a lion under Solomon's throne. His personal independence was secured by a great fortune gained partly through a wealthy marriage, a speculation which, after the death of his first wife, he repeated with calamitous results. Side by side with the struggle for supremacy between the king and parliament, and in connection with the high church movement, had been going on a contest between the lay and ecclesiastical courts, the ecclesiastical courts striving to make their jurisdiction independent and to regain their dominion over the spiritual realm, the lay courts putting in their injunctions and strenuously disputing the ground. The king favoured the ecclesiastics, who were on his side and under his control. Coke was a resolute champion of the lay jurisdiction. This first brought him into collision with the court. Afterwards,

in the Peacham case, the crown, knowing that the legality of its course was doubtful, solicited the judges of the king's bench to give their opinion beforehand on the point of law. Coke replied that such particular and auricular taking of opinions was not according to the custom of the realm. The dispute with Bacon on the Peacham case was followed by a dispute with lord chancellor Ellesmere, another enemy of Coke, about the relative jurisdictions of the common law courts and the court of chancery. The tendency of chancery, by a more rational and liberal system, to draw causes to itself and carve out a rival domain, was watched with jealous eyes by the liegemen of the common law. Chancery being the more cognate to prerogative, the king was with his chancellor and against Coke. At last, in a case relating to a grant by the crown of a benefice to a bishop in *commendam*, the prerogative was put in issue. The 1616
king ordered the judges to stay proceedings. At first the judges, led by Coke, showed a bold front, refused to take legal notice of the royal letters addressed to them, and declared it their duty to hear the cause. Ultimately, the king having browbeaten them in person, and the question being put to them, whether in a case which his majesty conceived to concern himself in honour or profit they would not, if he desired to consult them, stay proceedings, all but Coke succumbed. Coke was first sus- 1616
pended, then dismissed, from his office, and with him independence left the judgment seat. Coke had also, while chief justice, arrested an attempt of the king to usurp legislative power by means of royal proclamations. He laid it down as a principle that no royal proclamation creating a new offence could have the force of law, though

it might give additional force to an existing law, and aggravate an offender's guilt. On this occasion the chancellor complained that if the power for the exercise of which the king contended were taken from him, he would be no more than a Duke of Venice. The comparison has been revived in our own day, and is true to the fact.

The attack on the independence of the judiciary was followed by an attack on the independence of the press in the interest of the king's clerical allies. What the political and social philosophy of Montesquieu or Rousseau was to the French, the immense erudition of John Selden, jurist and antiquary, was to the English revolution. Selden embodied that assertion of the supremacy of the civil over the ecclesiastical power which was the
1618 special characteristic of the English Reformation. He wrote a treatise on the history of tithe, plainly, though obliquely, showing that it was of human, not of divine institution, and consequently subject to human legislation. This was alarming to the high church clergy, who had too good reason to know that possessions of the church subject to human legislation would be precarious. Selden was summoned before the court of high commission and compelled to make what was in fact a degrading retraction. The sale of his book was prohibited, and when his adversaries, taking advantage of his silence, published answers to him, he was forbidden to reply. This was the way to drive discontent inwards to the vitals of the body politic, and in the end to raise up Miltons with their Areopagitic thunder against the killing of a good book as the killing of reason itself.

Monopolies form the next field of battle. Monopolies 1621
of foreign trade were not unreasonable when peace was hardly known upon the sea, when piracy was rife, and when, there being no royal navy, or none effective for the protection of commerce, a distant trade could be carried on only by companies armed for their own defence. Of monopolies of home manufacture some might be justified as patents for inventions before the introduction of a patent law or as control of the materials of war. But others of the odious list had been corruptly created in the interest of the crown and its favourites, or of jobbers, of whom Sir Giles Mompesson, Massinger's "Sir Giles Overreach," was the hated chief, and were mere nuisances and instruments of extortion. From corrupt monopolies the attack extended to corruption in other quarters, and notably in courts of law. When peerages and offices of state were openly sold; when nothing was to be done at court without a fee; when a minister of state could coolly say that an office was worth so much if the holder did not wish to go to heaven, and so much less if he did, the judiciary was not likely to escape contagion. One result of the investigation was a memorable and tragic fall. After a life of laborious climbing, sometimes at the expense of his moral dignity, Bacon had at length reached the summit of his ambition as a lawyer, if not as a politician. His proudest day in his own estimation, though not in the estimation of posterity, was that on which he
rode in state to Westminster to be installed as Lord Keeper, 1618
with a hundred persons of quality in his train. That such majesty of intellect could stoop to corruption is hard to believe, and apologists have struggled desperately against the fact. But if Bacon was not guilty of corruption, he

was guilty of the worse crime of bearing false witness against his own honour, for he confessed himself guilty and prayed for mercy. Guilty of corruption undoubtedly he was, since he had taken gifts from suitors, not only after judgment, a practice at which the morality of that time might wink, but in one or two cases at least while the suit was pending. Yet was he not corrupt. His fault was rather a careless confidence in his own virtue, which led him not strictly to guard its chastity. Of the heavy
1621 sentence passed upon him by the Lords the greater part was remitted, and posterity, bribed by the splendid offerings of his intellect, has blotted out the rest. It was in the months immediately following his condemnation that he wrote his History of Henry VII. He can have had little hold on the king and the favourite or they would have made greater efforts to save him.

The scene presently shifts from domestic politics to diplomacy and war. James had slipped out of the alliance with Holland against Spain, leaving the Dutch to fight by themselves the battle of their emancipation, which, however, had by that time been practically won. To do this he was led not only by his love of peace and his financial difficulties, but by the dislike which he and his high church bishops felt of rebellious traders making war against their anointed king. From peace with Spain he had been sliding into close diplomatic relations and secret alliance. Spain being still the grand monarchy, his vanity was flattered by the association. Yet he was a protestant king, though with catholic as well as absolutist leanings; and his two characters clashed. His daughter Elizabeth, bright and brave, was the darling of protestant hearts,
1613 and had married the Calvinist Frederick, Elector Palatine.

Shakespeare's "Tempest," with its inserted masque, had been performed before the court when the German Ferdinand came to bear away his Miranda from the learned Prospero's isle. All protestant sympathies had followed the Electress to her new home. But now broke over Germany the storm of the Thirty Years' War. Ferdinand of 1618
Austria mounted the Imperial throne. He was a pupil of 1619
the Jesuits, a most devout catholic, had taken before the shrine of Loretto a vow of lifelong enmity to heresy, declared that he would rather reign over a desert than over a land of heretics, and had extirpated protestantism in his hereditary dominions. In his kingdom of Bohemia he and his Jesuit advisers did not fail to come into collision with protestantism, with which here, and not here alone, but in France and Scotland, and perhaps elsewhere, was combined the turbulent ambition of an unbridled aristocracy. Bohemia, the Bohemian nobility at least, rebelled, flung the Emperor's representatives, Martinitz and Slawata, out of the window, deposed Ferdinand, and offered the crown 1618
to Frederick, Elector Palatine, by whom, under an evil star, it was accepted. The Elector was totally unequal to the part which he had rashly undertaken. He and his kingdom sank under the Imperial arms, and he lost not only Bohemia but his own principality. English protestantism burst into flame. How fierce was the flame and how befouled with the murky smoke of fanaticism appeared when, for some slighting words about the Elector Palatine and his wife, an aged Roman catholic named Floyd was adjudged by the two Houses of Parliament, 1621
acting in disgraceful concert, to be degraded from his gentility, to be deemed infamous, to ride on a horse without a saddle and with his face to the tail, to be pilloried,

branded, whipped, fined five thousand pounds, and imprisoned in Newgate for life; the Lords outvying the Commons in ferocity to show that, though they had been crossing the House of Commons on a question of privilege, they were not behind it in protestant zeal. In this case the Commons, not being a court of justice, were guilty, besides their atrocious cruelty, of usurpation as flagrant as any with which they charged the king. A deplorable impulse was given to persecuting legislation, and Sir John Eliot, a most liberal and noble-minded man, did not hesitate to suggest that the fleets should be fitted out with the fines of recusants. Once more we see how Bacon might object to transferring government from the crown to the House of Commons, whose despotism would have been uncontrolled.

Volunteers streamed from Britain to the field of religious war in Germany, where they found things scarcely corresponding to their imagination; Lutherans, now grown conservative, at variance with Calvinists, in whom still burned the fire of iconoclastic zeal; and protestant leaders like Mansfeld, with their undisciplined and marauding hosts, behaving more like bandits than crusaders; while the Emperor and the Catholic League, of which Maximilian of Bavaria was the political head, had the advantage of representing order and national unity as well as that of more regular armies, and of the generalship of Tilly. The old puritan Archbishop Abbot, thoroughly sharing the protestant enthusiasm of the hour, urged on his king to the holy war in which the whore was to be made desolate, as had been foretold in the Revelation. For a continental war James had no inclination. As little had he the means. The Commons were ready to pass flaming

1618 *sq.*

resolutions devoting their lives and fortunes to the cause; they were ready to shout and to throw up their hats, but they were not ready to support the king with the sums necessary for great armaments, or even to give him a free hand. Of foreign affairs they could know little, nor was their sense of responsibility on a par with their zeal. What he could do in the way of diplomacy he did. But his diplomacy, feeble at best, was perplexed and weakened by his conflicting ties with protestantism on one side and catholic Spain on the other; and the result was a web of inconsistency, vacillation, and futility, the threads of which it is a barren task for our great historian to unwind. The king and the Commons were all the time at cross purposes. What the king wanted was simply to recover the Palatinate for his son-in-law, which he was willing to do with Spanish aid; what the Commons wanted was a protestant, patriotic, and plundering war with Spain. They little calculated the cost, or they expected the capture of Spanish galleons to defray it. The arrogance, vanity, and insane schemes of Buckingham, the all-powerful favourite, worse confounded the confusion.

For a moment the great European cause produced harmony between the king and the Commons. But the intrigue which the king was still carrying on with Spain, and the project of a Spanish marriage for his son which he still cherished, becoming known, soon brought on a renewal of the discord, and in the sequel a violent conflict. The laxity in the enforcement of the penal laws against catholics, which was the necessary consequence of the flirtation with Spain, excited the suspicions, and called forth the fierce remonstrance of the Commons. 1621
On this occasion the House heard the voice of its destined

leader, and the destined chief of the revolution. John Pym rose to justify the penal laws against the catholics as directed, not against their religion, but against the practices to which their religion bound them, and as intended not to punish them for believing, but to disable them from doing that which they believed they ought to do.

1621 The Commons protested against the Spanish policy and the Spanish marriage. The king bade them not meddle with affairs of state. They asserted their right to be heard. In the wrangle the momentous question as to their tenure of their liberties and privileges, which had been raised early in the reign, was renewed. The king asserted that their liberties and privileges were the gifts of his ancestors and himself; the Commons that they were their birthright. At a late meeting held by candle-light on a December afternoon to forestall an impending adjournment, the Commons passed a resolution which ranks among the great muniments of freedom; — "That the liberties, franchises, privileges, and jurisdictions of parliament are the ancient and undoubted birthright and inheritance of the subjects of England; and that the arduous and urgent affairs concerning the king, state, and defence of the realm and of the church of England, and the making and maintaining of laws, and redress of grievances, which daily happen within this realm, are proper subjects and matter of counsel and debate in parliament; and that in the handling and proceeding of those businesses every member hath, and of right ought to have, freedom of speech, to propound, treat, reason, and bring to conclusion the same." A second clause asserts for the Commons the right to perfect freedom of speech. When parliament had been adjourned, James

sent for the journals of the House and tore out the 1621
impious page with his own hand.

In the course of the conflict twelve members of the Commons went as a deputation to the king at Newmarket. "Bring stools," said James, "for the ambassadors." He showed his insight; for the House which the deputation represented was making itself a sovereign power.

The varied drama of the reign closed with a farcical escapade. The negotiation for the marriage of prince Charles with the Spanish princess hanging fire, the prince took it into his head himself to set off for Madrid with Buckingham *incognito*, and woo the Infanta in person. 1623
To the old king, who gave his consent to the adventure in an agony of fear, his son and Steenie, as he called Buckingham, seemed worthy to be heroes of a new romance. Such an expedition had in fact more of romance in it then than it would have now, because, in those days, princes who got the person of a rival into their hands were inclined to keep the prize. In a comical scene at Madrid the Spanish Court displayed its preposterous etiquette and its cunning, Buckingham his insolence, and Charles the moral feebleness which was to be his ruin. Buckingham filled the Spaniard with horror by sitting in presence of the prince in his dressing gown without his breeches, turning his back on royalty, and staring at the sacred Infanta. Charles and his father were near being betrayed into promises of illegal concessions to catholicism in England, which would have degraded and imperilled the throne. Thanks partly to Buckingham's unmannerly pride the negotiation came to nothing, and to the great joy of protestant England Charles returned without his Spanish bride. Then en- 1623

1624 sued rupture and war with Spain. Middlesex, the lord treasurer, still clung to the Spanish connection, which Buckingham, in his fit of passionate resentment, was flinging off. To punish him, and at the same time divert public anger from himself, Buckingham instigated
1624 the Commons to impeach him for corruption, a crime of which the treasurer seems in fact to have been moderately guilty. The shrewd old king warned Buckingham and Charles that they would one day have their bellyful of impeachment; a prediction which they had bitter reason to remember. Impeachment was an assertion of the responsibility of ministers to parliament, whereas Tudor autocracy rested on the principle that ministers were responsible to the sovereign alone. The ire of the court was also directed by Buckingham against Digby, afterwards Earl of Bristol, an honest and high-minded diplomatist who advocated a foreign policy not based on religious enmities or unfriendly to Spain, and had ventured to denounce to the king the extravagances of Buckingham at Madrid. With Digby good sense and high-minded patriotism seem to have departed from the councils of the crown.

"The Commons had now been engaged for more than twenty years in a struggle to restore and to fortify their own and their fellow-subjects' liberties. They had obtained in this period but one legislative measure of
1624 importance, the late declaratory act against monopolies. But they had rescued from disuse their ancient right of impeachment. They had placed on record a protestation of their claim to debate all matters of public concern. They had remonstrated against the usurped prerogatives of binding the subject by proclamation, and of levying

customs at the outports. They had secured beyond controversy their exclusive privilege of determining contested elections of their members. They had maintained, and carried indeed to an unwarrantable extent, their power of judging and inflicting punishment, even for offences not committed against their House." In these words Hallam sums up the gains of the Commons during this reign. He might have added the appropriation of supplies, since the last parliament of James appropriated 1624
a supply distinctly to four objects connected with the war. A considerable stride had been made towards the conversion of the Tudor despot into a "Duke of Venice."

The day of Tudor dictatorship is over; yet the Stuart may be pardoned for not being sensible of the change, or willing to resign the power. The next Stuart will not be sensible of the change, nor willing to resign the power, and hard in consequence will be his fate.

CHAPTER XXI

CHARLES I

BORN 1600; SUCCEEDED 1625; EXECUTED 1649

THE two royal unfortunates of history are Charles I. and Louis XVI. Both were weak men set by their evil star to deal with revolutionary forces which it would have tasked the highest statesmanship to master. Both of them would have been amiable in private life, though Louis would have been drowsily benevolent, and Charles would have shown more character. That Charles was by no means destitute of ability, his letters, the manner in which he defended his religion against skilful controversialists, and even his conduct as a general, proved. He had a serious sense of royal duty. He was a man of culture, a lover and a judge of art. Morally he was as pure as Puritanism itself could desire, for the story of his having had a natural daughter may be set down as a libel. He would have made an average bishop. He was a tender husband and father; too tender a husband, for his uxoriousness was his ruin; and it may be said of Henrietta Maria as it may of Marie Antoinette that, had she been caged at the beginning of the revolution, her husband would have escaped the scaffold. Though ceremonious, Charles was affable, and a kind master. Like George III. after him, he had been brought up with high notions of royalty. Yet his notions of it could hardly be

higher than was the language held respecting it by leaders of the Commons, the chief of whom, while they were wresting the sovereignty to themselves, spoke always of the king as their sovereign and as God's vice-gerent. As a king he felt the general tendency of monarchy in Europe to absolutism, which might approve itself, even to one who did not wear a crown, in countries where absolute monarchy was the alternative to aristocratic anarchy or barbarous disorder. There is no reason to doubt that Charles meant to use his power for the good of his people, or that he wished to make the nation great, though he erred in identifying its greatness with his own. His motto, *Amor Populi Regis Præsidium*, may well have been sincerely chosen; nor is there any ground for accusing him of having set out with a design against public liberty. With duplicity he has been justly charged, yet, in his early days at least, it was not so much deliberate deceit as weakness, the consequence of the false positions into which he was drawn and the contradictory obligations in which he became entangled. Weakness he inherited from his father, and it appears, together with his likeness to James, in the portrait of him by Dobson, though not in the somewhat idealized portrait by Van Dyck. When he was called to the helm of state in a storm 1625
he was barely twenty-five years of age. James had left him a fatal legacy in Buckingham, whose personal brilliancy and fascinations were as great as his wisdom and statesmanship were small. The favourite had the art of infusion and of making his masters fancy that they were leading when really they were being led. The early years of Charles were years of Buckingham's misrule.

The hated Spanish marriage having been thrown over,

1625 a French marriage took its place. France was less catholic than Spain, and Henrietta Maria was a daughter of Henry IV. Still, France was catholic. Henrietta, though fond of pleasure, was devout. She brought her priests, her Mass, her catholic waiting-women with her. She came believing that she was to be the protectress of her religion in England. There were equivocal arrangements to be made about her personal worship and that of her attendants. There was an equivocal understanding with the court of France about indulgence to the English catholics, while the jealousy of the Puritan Commons was reawakened by the catholic marriage and more than ever demanded the execution of the penal laws. It was on this rock that Charles's honour was wrecked, first at Madrid and afterwards in his negotiations with France.

It was not unnatural that Charles, flattered by his court and infected with Buckingham's ambition, should fancy himself a greater king than, with his limited power and revenue, he was, and try to play a part too grand for him on the European scene. The ambiguous position of his government, monarchical and high church, yet protestant, between the two warring elements of European opinion, increased its perplexities and its weakness. There was besides the purely family object of recovering the Palatinate for Charles's sister and her husband. The treaty for a Spanish marriage and a lover's visit of Charles to Madrid are followed by a protestant crusade against Spain. Now ships are lent to the king of France to be used against the rebel Huguenots; anon succours are sent to the rebel Huguenots who are holding out at Rochelle
1625 against the king of France. The vast and weltering imbroglio in Germany continues, and with it the hopeless

effort to recover the Palatinate for Charles's brother-in-law by diplomacy or advances of money to protestant adventurers. To the drain of those advances are added that of Buckingham's war with Spain and next that of a war with France brought on by a misunderstanding as to 27
the religious rights of Henrietta Maria and her catholic attendants, or, as rumour had it, by the mad arrogance of Buckingham, who had incurred a rebuff by daring to lift his eyes to the queen of France. The recovery of the Palatinate was a question in which, the first burst of protestant sympathy with the Elector and Electress being over, the royal family felt more interest than the Commons. In the Spanish war the interest of the Commons was more hearty. Spain was Apollyon, and Apollyon's galleons were rich prizes. But the Commons little understood the diplomatic entanglements and at once suspected treachery when, in pursuance of an agreement with the French government, whose alliance was necessary against Spain, English ships were lent to be used against protestant rebels. They had no confidence in Buckingham, who deserved none; or in his subordinates, who deserved little. They drew tight their purse strings, and refused the king the supplies absolutely necessary for the war. It was by lack of money to carry on the war and fulfil his engagements to his confederates, not by his absolutist tendencies, that Charles was led in the first instance to have recourse to forced loans and other modes of raising money without the consent of parliament, while he was filling his armies and fleets by a barbarous use of the power of impressment. He was reduced to pawning his crown jewels. The military and naval administration was wretched and the failure was complete on land and sea.

An expedition against Cadiz, from which the nation looked for a renewal of the glories of Drake, ended not only in defeat, but in utter disgrace, the troops getting
1625 drunk and the sea captains refusing to fight; while the treasure fleet, the capture of which was to replenish the king's coffers, was allowed to escape. In the French war an attempt to relieve Rochelle by a landing on the Isle of Rhé, under the command of Buckingham himself, ended
1627 likewise in disaster, though Buckingham showed courage, and not only courage, but as much conduct as could be expected of a novice in war. From Germany came no better news than from Cadiz or Rochelle. Everything was going down before the armies of the Empire, commanded by Wallenstein and Tilly. The Elector was an outcast, and Mansfeld, the vaunted champion of protestantism, on whom aid had been wasted, not only lost, but, with his vagabond host, disgraced, the cause. The pressed men, of whom the English regiments and crews were made up, being left unpaid and unfed, died of want, cold, and disease. They mutinied, deserted their standards, wandered over the districts in which they were quartered, plundered the farms, and insulted the wives and daughters of the farmers. To repress these outrages, martial law was proclaimed.

Meantime, the political struggle between the king and the Commons, always at bottom a struggle for supreme power, was renewed and continued to rage through suc-
1625 cessive parliaments. Charles at first met his parliaments with smiling countenance, but the sun of concord was soon overcast. Opposition took two forms; want of confidence in Buckingham as helmsman of the state, and resistance to Romanizing tendencies, or what were taken

to be Romanizing tendencies, in the church. Buckingham managed to embroil himself and his master with the Lords, as well as with the Commons by arbitrarily excluding from their seats in parliament the Earl of Arundel, who had offended him, and Digby, now the Earl of Bristol, who had incurred his enmity by exposing his misrepresentations about the Spanish marriage and the transactions at Madrid. Bristol refused submission, the House of Lords upheld with spirit the rights of its members, and the court was obliged to give way.

Presently the shrewd prophecy of the late king that Charles and Buckingham would have their bellyful of impeachment was fulfilled. A resolution for the impeachment of Buckingham was carried in the House of Commons, on well-founded charges of maladministration; charges, not so clearly well-founded, of corruption; and a totally unfounded charge, not directly laid but insinuated, of having poisoned the late king. In our day, instead of an impeachment, a vote of want of confidence in a minister, or, in case of extremity, a refusal of supply, would do the work. The form of impeachment involved an investigation into the acts and expenditure of the government, which is said with truth to have carried in itself the germs of revolution. Responsibility of ministers to parliament was in fact the issue now revived after having lain dormant almost since Lancastrian times; decided in favour of the parliament as it has been, it takes away personal power from the crown. We can hardly blame Charles for standing by his friend Steenie. But in forbidding the Commons to inquire into Buckingham's administration he drew the responsibility on himself.

1626

Charles was no Romanist. To the end he was true

to the church of England and his own ecclesiastical supremacy. Anglicanism may fairly regard him as its martyr and dedicate churches to his name. But he was a strong episcopalian, deeply impressed with the truth of his father's maxim as to the identity of the king's interest with that of the bishop, while, had he been a private man, his own character and tastes would have led him to the side of church order and of ritual. He was thus borne against the main current of religious opinion and sentiment, which, in the political classes, was decidedly Puritan, and brought into collision with the most powerful and aspiring intellects of the day, whose ideal was an unceremonial worship and a Bible faith untrammelled by clerical authority. He had about him a group of high church ecclesiastics, who, in the interest of their order, exalted his prerogative, and, if they were hot-headed, to an alarming and irritating height; at the same time assailing the dominant Calvinism, which was the animating spirit of Puritanism, in politics as in reli-
1625 gion. The work of Montague which provoked the wrath of the Commons was in form a defence of protestantism against the church of Rome, but the grounds on which the defence was based were anti-Calvinist and anti-puritan, while political offence was given by the appeal to Cæsar to defend with his sword the writer, who would defend him with his pen. The suspicions of the Commons were borne out by the subsequent career of the author, who was presently engaged in negotiations with a papal envoy and went to the very brink of conversion. The court divine,
1627 Manwaring, said in one of his famous sermons, that the first of all relations was that between the Creator and the creature; the next between husband and wife; the third

between parent and child; the fourth between lord and servant; and that from all these arose that most high, sacred, and transcendent relation between king and subject. In another passage he asks himself, why religion doth associate God and the king? and he answers that it may be for one of three reasons; because in scripture the name of God is given to angels, priests, and kings; or from the propinquity of offenders against God and His anointed king; or from the parity of beneficence which men enjoy from God and sacred kings, and which they can no more requite in the case of the king than in the case of God. He reasons, that "as justice, properly so called, intercedes not between God and man; nor between the prince, being a father, and the people as children (for justice is between equals); so cannot justice be any rule or medium whereby to give God or the king his right." This doctrine was preached in the Chapel Royal to a young king. Sibthorp preached in the same anti- 1627
puritan and absolutist strain, claiming for the prince the power of making the law, and maintaining that the subject was bound to active obedience so long as the king's command was moral, and that in any case resistance was impious. Abbot, the old Puritan archbishop, refused to license Sibthorp's sermon and was suspended for his refusal, making way for the growing ascendancy of Laud. Charles identified himself with the teachings of Montague, Manwaring, and Sibthorp by promoting them all in defiance of the protests of the Commons. That the Commons, in these protests, were contending for religious liberty cannot be said. A national church establishment, with compulsory unity of orthodox belief, was their ideal, as much as that of their opponents, while they assumed

that the national and orthodox creed was the Calvinism of the Lambeth Articles and the Synod of Dort. They were all the time clamouring for the execution of the laws against papists; and extreme protestant sectaries, such as the Anabaptists, would have met with a not less rigorous treatment at their hands. All that can be said is that the creed for which they contended was the more congenial to political liberty, and the more likely to lead to liberty of conscience in the end.

The leader of the Commons was Sir John Eliot, a Cornish gentleman, high-souled, patriotic, hot-blooded, and dauntless, with an oratorical temperament and the oratorical habit of one-sided statement and exaggeration. From sympathy with Buckingham's foreign policy he had passed to unmeasured denunciation of him as an arch traitor and capital enemy of the state. The comparison of Buckingham to Sejanus, in his speech as manager of the impeachment before the House of Lords, is a famed stroke of eloquence and may be cited as one of the first fruits of the rhetoric by which the councils of the nation have been swayed. "Your lordships have an idea of the man, what he is in himself, what in his affections! You have seen his power, and some, I fear, have felt it! You have known his practice, and have heard the effects. It rests, then, to be considered what, being such, he is in reference to the king and state, how compatible or incompatible with either. In reference to the king, he must be styled the canker in his treasure; in reference to the state, the moth of all goodness. What future hopes are to be expected, your lordships may draw out of his actions and affections. In all precedents I can hardly find him a match or parallel. None so like him as

Sejanus, thus described by Tacitus, *Audax, sui obtegens, in alios criminator, juxta adulator et superbus.* My lords, for his pride and flattery it was noted of Sejanus that he did *clientes suos provinciis adornare.* Doth not this man the like? Ask England, Scotland, and Ireland, and they will tell you! Sejanus's pride was so excessive, Tacitus saith, that he neglected all counsel, mixed his business and service with the prince, seemed to confound their actions, and was often styled *imperatoris laborum socius.* How lately and how often hath this man commixed his actions, in discourse, with actions of the king! My lords, I have done. You see the man! By him came all these evils; in him we find the cause; on him we expect the remedies; and to this we met your lordships in conference."

Eliot, though a strong protestant, was no narrow Puritan. His work, "The Monarchy of Man," in which his somewhat misty philosophy is expounded, shows that his ideal was not a republic, but a monarchy. He seems even to have thought that monarchical government had its archetype in the heavenly spheres. That he was morally dethroning the monarch and transferring supreme power to the representatives of the people, neither he nor any one of his party saw.

The classical allusion in Sir John Eliot's speech reminds us that beside the Bible and Calvinism another element has now mingled with public character and life. It is that of Greek and Roman antiquity, with its republicanism, its proud notions of personal liberty, its tyrannicide. Nor would the political sentiment of Timoleon and Brutus be practically out of unison with that of the Hebrew prophet who denounces the sins of kings, or with that of the Psalmist who would bind kings with chains

and nobles with fetters of iron. With the humility and meekness of Christianity, the haughty self-assertion of the Greek or Roman republican would not so well agree.

It could not be denied that the Commons had originally countenanced the government in the undertaking to recover the Palatinate and pressed on it war with Spain. Yet they withheld the necessary supplies, pleading the incapacity and failure of the administration. Peace with retrenchment might have relieved the government from its embarrassments, and given it a free hand in home politics. But such a policy was too tame for Buckingham's vanity. To provide ways and means the crown had recourse not only to fines for refusal of knighthood and other feudal extortions, to raising the rents of crown lands upon the tenants, to pawning the crown jewels, to impressment of soldiers and seamen and exaction of ships from the seaports, but to levying tonnage and poundage, the duties on imported merchandise, without vote of parliament, and to forced loans. The levying of tonnage and poundage was excused, and perhaps was excusable, on the ground that they had hitherto been granted as a matter of course for the reign. For refusing to contribute to the loan a number of gentlemen were thrown into prison, and the subserviency of the judges upheld the crown in its disregard of the principle of personal liberty secured by the Habeas Corpus. An attempt to break the force of
1626 opposition by making some of its leaders sheriffs, and thus excluding them from the House of Commons, met with deserved failure, and the elections went generally against the government. The young king gave way to his temper.
1628 He opened his famous third parliament by telling the Commons that "if they would not do their duty by granting

supplies, he must use other means which God had put into his hands to save that which the follies of other men might otherwise hazard to lose." This he bade them not take as threatening, since he scorned to threaten any but his equals. Sir John Coke, leader for the crown in the Commons, raised a storm by insinuating that if the people provoked the king he might be tempted to reduce them to the condition of the French peasantry, who were as thin as ghosts and wore wooden shoes.

The answer to the royal menace was the Petition of Right, on the king's assent to which the Commons insisted as the condition of supply, while, to justify their attitude, they held out the promise of a liberal grant. The petition was a reversion to the old form of legislation for redress of grievances. The grievances of which redress was sought were four; forced loans; arbitrary imprisonment; billeting of soldiers on private houses; and martial law. The chief grounds of complaint were the first two. The billeting, though vexatious, seems not to have been illegal, nor, was martial law, if applied only to the soldiery, a wrong. The king struggled hard for what he believed to be his prerogative, but he struggled in vain. An opposition too strong for Buckingham's influence had by this time been formed even in the House of Lords by Puritan peers, such as Bedford and Saye and Sele, with men like Bristol and Arundel, who had been injured by the court, and one or two bishops who did not go with Laud. Charles asked the Commons instead of binding him by law to take his word. "What need," said Pym, now rising to leadership, "have we of the king's word, when already we have his coronation oath?" A middle party in the Lords proposed to insert words saving to the king his sovereign power. 1628

"I am not able," said Pym, "to speak to this question. I know not what it is. All our petition is for the laws of England, and this power seems to be another distinct power from the power of law. I know how to add sovereign to the king's person, but not to his power. We cannot leave to him sovereign power, for we never were possessed of it." The king contended for a reserved prerogative or sovereignty beyond the law to be exerted whenever in his judgment there was need. The Commons contended that the law should in all cases be supreme, and that they should make the law; in other words, that the sovereign power should be theirs. Reduced to extremity, the king gave his consent to the Petition of Right, at first not in the plain and customary form "Let right be done, as is desired," but in a form roundabout and evasive. At
1628 last he gave his consent in the plain form. The Petition of Right, regarded as second only to the Great Charter, was added to the muniments of liberty and to the pledges for the supremacy of parliament. Shouting, bell-ringing, and bonfires proclaimed the victory of the Commons.

Yet the strife hardly abated. To the Petition of Right
1628 succeeded remonstrance against the proceedings of the high church and absolutist divines, which the king had made more offensive by the promotion of the offenders; against the foreign policy and general administration of Buckingham; against the persistent levying of tonnage and poundage without the vote of parliament. With tonnage and poundage the king vowed he could not dispense, and in truth he would have deprived himself of the means of carrying on his government. Previous parliaments had been dissolved in a storm. This parliament was
1628 prorogued. Only so far was there an appearance of recon-

ciliation. Allowance must always be made on the king's behalf for the ambiguities of constitutional tradition and the variation of precedents between Lancastrian and Tudor times, as well as for the formal recognition by the Commons of the royal supremacy and government which, half unconsciously, they were labouring to overthrow. Only a sympathy almost miraculous between the wearer of the crown and the Commons could have averted quarrel and ultimate collision.

With Buckingham, the struggle came to a tragic close. When he was on the point of embarking on another military escapade, his dazzling and mischievous career was cut short by the knife of an assassin, in whose morbid brain, as 1628
often happens, the ferment of public discontent had blended with a private grudge. So intense had the feeling against Buckingham become, that his assassin was saluted as a hero and a martyr. Something may be excused to one who by a freak of fortune was raised when he was a mere boy to a giddy height and was only thirty-six when he died. But to Buckingham's vanity, folly, and personal resentments are evidently to be ascribed the ruinous mistakes and inconsistencies of foreign policy; the chimerical attempts of England, now hardly more than a second-rate power, to dominate as a first-rate power on the continent; the Spanish war and the attempts to draw France into the combination against Spain; the loan to the French monarchy in pursuance of that combination, of English ships to be used against the protestants of Rochelle, which could not fail to arouse the angry suspicions of the protestants at home; the subsequent rupture and war with France, and the hopeless attempts, by supporting the Huguenot insurrection, to defeat the policy of Richelieu and prevent the

consolidation of the French kingdom. The financial embarrassments into which this series of follies brought the English monarchy laid it at the feet of the Commons, and when it had quarrelled with parliament, drove it to irregular ways of raising money, which, combined with its ecclesiastical policy of reaction, led to its overthrow.

The removal of Buckingham from the scene uncovered
1629 the king, against whom, when parliament met again, the attack was directly pointed. The grievances now were levying tonnage and poundage when they had not been voted by parliament, and the countenance which the crown had lent to the high church and anti-puritan movement by the promotion of Montague and Manwaring, together with the progress of Arminianism and ritualism among the clergy; constitutionalism, Puritanism, and Calvinism always moving together. In ecclesiastical as well as civil legislation the Commons strove to make themselves supreme, to the exclusion of the clerical convocation, which was ruled through the bishops by the king. The king put forth his manifesto with respect to the Thirty-nine Articles, demanding a uniform and un-
1629 swerving profession of them, and in effect ordaining that they should be taken in the sense which it might please him as supreme governor of the church and the convocation with his license to assign them. The Commons contended that the Articles should be taken in what they deemed the orthodox, that is, the Calvinistic, sense. They passed resolutions denouncing the spread of Arminianism with popery in its train, the placing of communion-tables as altars, and ritualistic practices of all kinds. As the standards of orthodoxy, they pointed to the writings of the Calvinist Jewel, the ultra-Calvinist Lambeth Articles,

and the resolutions of the Calvinist and un-episcopal Synod of Dort. The king, losing patience, sent an order to the Commons to adjourn. The Speaker wished to obey. But the patriots held him down in his chair till resolutions against the levying of tonnage and poundage without a vote of parliament and against the encouragement of high church principles had been passed. Then tumultuously the Commons adjourned.

A dissolution followed, while Eliot and eight other 1629
members were imprisoned by royal warrant for their conduct in the last scene. A battle in the courts for their
liberation by Habeas Corpus ensued, with the usual hesi- 1630
tation and fencing on the part of the judges, who were unwilling to break the law while they wished to uphold the prerogative of the crown. It was much that there was a law which the judges were unwilling to break. Six of the nine members made their submission and were released, Selden, who was no zealot, not without a stain upon his honour. Eliot, disdaining submission, remained in prison till he died, employing himself in writing his "Monarchy of Man." The chills of his
prison-house hastened his death. His son asked leave to 1632
bury him in his Cornish home. Charles wrote on the petition, "Let Sir John Eliot be buried in the church of that parish where he died." It was an unusual exhibition of bad feeling on the part of Charles, and he rued it, for it helped to make the war between him and the parliamentary leaders internecine.

English liberty has been peculiarly indebted to the courage of private citizens who have dared to stand forth single-handed in the cause of public right. Bate in the last reign had stood forth single-handed against impositions

on merchandise. Richard Chambers, a London merchant, now stands forth against the levying of customs duties without an Act of parliament. He is brought before the star chamber, where he had no chance of justice, and resolutely refusing submission is kept in prison for six years, while his goods are seized for the tax. In vain he seeks a remedy in the court of common law. In questions between prerogative and the rights of the subject, the judges, while they are not without conscience, waver and take refuge in technicalities. Their technical decision could settle nothing. In their law-books they might find the letter of the law; they could not find the balance between constitutional principle and necessities of state. In the cases of Eliot and Chambers together the king had warning enough.

Buckingham gone, the chief ministers for a time were Weston and Cottington, both of them catholics at heart, both of them in favour of Spanish connection, but both of them steady-going and sure-footed men thinking more of finance and of material interests than of religious disputes or of ambitious diplomacy, who might have replenished the exchequer, evaded thorny questions, and carried on the government in a safe though unambitious way.

Charles held the reins himself long enough to show that he had been not only the patron, but the pupil of Buckingham. Presently he had two new and memorable advisers, Laud, Archbishop of Canterbury, and, somewhat later, Wentworth, better known as the Earl of Strafford. Our idea of Laud has been tinged by the art which paints everything black or white, and is prodigal of varnish. He was not a bigot or a fanatic, but a martinet, and so long as he could enforce universal conformity to

his rule of church government and worship, cared not much about speculative opinion, nor was unwilling that it should be free in the closets of Chillingworth and Hales. The school of which he was the chief has even, in virtue of its opposition to Calvinistic rigour and narrowness, been deemed liberal. His weaknesses have also been overstated. The notices of dreams and omens in his diary were hardly proofs of superstition in an age in which astrology kept its hold on such a man of science as Kepler, and on such a man of action as Wallenstein. His religion was Anglicanism, and Anglicanism as the ordinance of the state. In defence of this he had fleshed his controversial sword at Oxford, where Calvinism still reigned. At Oxford also, as head of a college, he had learned despotic rule. His temper was choleric; it did not prevent his courting the powerful, but it made him sometimes rude to lesser men. His character was bespoken by his small bustling figure, high-drawn eyebrows, sharp face, and peering look. He had made his way to court and to royal favour, though the old king shrewdly suspected that he would one day give trouble. Trouble he soon gave as Dean of Glouces- 1616
ter by tilting against the Puritanism of that city. He allied himself closely with Buckingham, by whose vices it does not seem that his austerity was repelled. Made bishop of St. David's, he scrupled not to leave his Welsh 1621
flock untended while he stayed at court pushing his fortune. From St. David's he climbed to Bath and Wells, 1626
thence to London, in which see, as it was a hot-bed of 1628
Puritanism, he found plenty of food for his regulative activity. At last, on the death of Abbot, he reached the 1633
highest mark of that ambition, of which his admirers own that he was not devoid, and was joyously greeted by

the king, whose heart he had won, as "My Lord's Grace of Canterbury." His rival in the race, Williams, Bishop of Lincoln and for three years, by a strange reversion to the practice of the ecclesiastical middle ages, lord chancellor, was a clever and shifty adventurer, who studied the weather, and though he might not have guided Charles to the heights of honour, would never have guided him to the block. But Williams had given offence and been cashiered. The king being ecclesiastically supreme, Laud, having Charles's unbounded confidence, was pope of the state church, little trammelled even by the independent authority of bishops or convocation. But he was not satisfied with ecclesiastical power. Soon he was on the commission of the treasury and at the head of the committee of foreign affairs. When Weston died and Cottington's influence had given way, Laud was practically the head of the government.
1636 He presently got his lieutenant, Bishop Juxon, made treasurer. Secular power in the hands of ecclesiastics seemed to him the surest safeguard of the church, and he pursued the same policy in Scotland, where an archbishop was made chancellor and seven bishops were introduced into the privy council. The actual fruits of this profound policy were a general reaction against ecclesiastical encroachment and the special jealousy of the grandees, who looked on the offices of state as their own. The lawyers, also, as the royalist historian complains, were embittered against the encroaching churchmen.

From the dark and haughty countenance of Wentworth looked forth power and love of command. It seems hard to maintain that the career of a man who was first one of the leaders of a parliamentary opposition, and then the

minister of a king who was trying to govern without parliament, can have been perfectly consistent in anything but ambition, though his ambition may have been generous and he may have had the greatness of the country as well as of the monarchy always at heart. To his former allies in the House of Commons assuredly Wentworth's career did not seem consistent, even supposing we regard as apocryphal the anecdote which makes Pym vow vengeance against the renegade. Wentworth, when he was attacking Buckingham, was cutting his way to power, which he meant, as a great intelligence, when he had attained it to use well. Full credit may be given him for sincere disapprobation of Buckingham's policy, and of the ill-advised action of the court which provoked the Petition of Right. His ideal no doubt was, like that of Bacon, a patriotic and enlightened monarchy with a compliant parliament and a judiciary faithful to the prerogative, himself being prime minister and the moving spirit of the whole. But as parliament proved intractable, he embraced autocracy with himself as vizier. With apostasy from mean motives or in an ignoble sense it would be unjust to charge him, but it cannot be denied that there was a sharp turn, such as to the friends whom he left might seem apostasy, in his political career.

From the presidency of the council of the north, a local government with arbitrary powers, which had survived from Tudor times of rebellion, Strafford went as lord 1633
deputy to Ireland. There he played the beneficent despot for whom Ireland yearned; put the parliament under his feet, an operation rendered easier by Poynings's law giving the English privy council control over Irish legislation; reformed the administration, civil and mili-

tary; restored the finances; tried to foster trade. He set in order and purified as far as he could the corrupt, swinish, and scandalous Establishment, the sight of which made protestantism and the civilization connected with it hateful to the Irish people; the clergy living like laymen, sometimes like dissolute laymen, and following unclerical pursuits, the estates of the church being plundered, charitable funds being abused, churches being turned into dwelling-houses, stables, or tennis courts, and the vaults under them into taverns, while maids and apprentices lolled upon the table used for the administration of the sacrament. So far well. It was not so well when Strafford proceeded to dispossess the native race and by verdicts wrung from intimidated juries confiscated to the
1634 crown a great part of the land of Connaught. Nor did the man fail in the seat of power to show his overbearing pride. He heedlessly trod on more than one worm which turned on him. From Ireland he corresponds with Laud. There can be no reasonable doubt as to the object which the two men have in view, and which they denote by the cant word "Thorough." Thorough reform of the king's service by the sweeping away of inefficiency, peculation, and corruption, no doubt as statesmen they did desire, but what they mean by "Thorough" is the complete ascendancy of the prerogative. "I know no reason, then," wrote Strafford to Laud, "but you may as well rule the common lawyers in England as I, poor beagle, do here; and yet that I do, and will do, in all that concerns my master's service, upon the peril of my head. I am confident that the king, being pleased to set himself in the business, is able by his wisdom and ministers to carry any just and honourable action thorough all imagi-

nary opposition, for real there can be none; that to start aside for such panick fears, phantastick apparitions, as a Prynne or an Eliot shall set up, were the meanest folly in the whole world; that the debts of the crown taken off, you may govern as you please." This is not reform of his majesty's service. Nor can it well be questioned that the army which Strafford was organizing in Ireland was intended by him to be used at need for a political purpose. He said himself that if the king could only have the power of levying money to pay soldiers as well as to pay ships, it would "vindicate the royalty at home from under the conditions and restraints of subjects, and render us also abroad, even to the greatest kings, the most considerable monarchy in Christendom." Of his Irish government Wentworth could boast that the king was as absolute there as any prince in the world, and so might remain if the ministers in England would do their part.

By admirers of Strafford and Laud their government has been painted as protection of the people against a selfish and oppressive oligarchy; as an anticipation, in fact, of the Tory democracy of our time. This would be interesting if it were true. But on what does it rest? Something was done for poor debtors and for improvement in the administration of the Poor Law and the application of charitable funds. Something was done for the special protection of women. Strafford takes credit to himself for having in Ireland meted out equal justice to high and low; but the native Irish of Connaught would hardly have endorsed the boast. There is nothing to show that in the hour of his fall the heart of the people was with him. Laud, Clarendon tells us, displayed in his admin-

istration of church discipline a noble impartiality, not regarding the rank of the offender. This was well, though the culprits might have remembered that the stern censor had served the uncanonical love of Mountjoy and allied himself with the libertine Buckingham. But there is not much in it of Tory democracy. Nor in impressing poor men by thousands, dragging them from their homes to serve in the fleet or army, keeping them without rations or clothes, and hanging them by scores under martial law when they helped themselves to food, did the government of Charles show much sympathy for the masses. There was an aristocratic element in the opposition, as there was in that of the Huguenots and afterwards of the Fronde, as there was in the revolt of the Netherlands, in the Bohemian revolt, in the German and Scotch reformations; while in the motives of the aristocracy with religion or patriotism were mingled in different proportions class interests or passions, lust after church spoils, jealousy of the political power of ecclesiastics, it may be feudal impatience of all law and government. The House of Lords could not like to be over-shadowed by autocracy; it was jealous of churchmen, like Laud and Juxon, who supplanted it in court favour and in the offices of state. The Tudor nobility still had reason to fear a catholic reaction. It is not likely that even the English aristocracy, though comparatively popular, was without its share of arrogance, or did not sometimes trample on dependents. It was at its worst probably in the still half-feudal north which was the scene of Strafford's autocratic rule. So far as the government of Strafford and Laud sought to control oligarchical mutiny or insolence, it deserves sympathy. Of their Tory

democracy this seems to be about the sum. Richelieu humbled the noble before the crown without doing much for the peasant.

The privy council now usurped legislative functions, and the star chamber, organized to suppress masterful wrong in unsettled and lawless times, became the instrument of repression in the hands of an arbitrary government; while the court of high commission, instituted by Elizabeth as the engine of her despotism in the church, served the procrustean policy of Laud. "For the better support of these extraordinary ways, and to protect the agents and instruments who must be employed in them, and to discountenance and suppress all bold inquirers and opposers, the council table and star chamber enlarge their jurisdictions to a vast extent, 'holding' (as Thucydides said of the Athenians) 'for honourable that which pleased, and for just that which profited'; and, being the same persons in several rooms, grew both courts of law to determine right, and courts of revenue to bring money into the treasury; the council table by proclamations enjoining this to the people that was not enjoined by the law, and prohibiting that which was not prohibited; and the star chamber censuring the breach and disobedience to those proclamations by very great fines and imprisonment; so that any disrespect to acts of state or to the persons of statesmen was in no time more penal, and those foundations of right, by which men valued their security, to the apprehension and understanding of wise men, never more in danger to be destroyed." These are the words of the royalist historian Clarendon.

In the absence of parliamentary supplies, how were the

expenses of government to be met? Tonnage and poundage continued to be levied by prerogative. The duties were increased. By delving into the middle ages obsolete rights and claims of the crown were unearthed. A large and peopled district was claimed as royal forest, and juries were bullied into adjudging it to the crown, not to the satisfaction of the inhabitants who were brought under forest law, any more than to that of the owners of the land. Composition for knighthood, now obsolete, was revived. Every one who could be fined for anything was fined. A land-owner was fined for depopulation if he had pulled down a cottage. Monopolies were another source of unconstitutional revenue. "Unjust projects," says Clarendon, "of all kinds, many ridiculous, many scandalous, all very grievous, were set on foot." The government stooped to exactions which were little better than blackmail. But the climax was ship-money. A tribute, dating from the times of Danish invasion, which had before been exacted from the seaports, was now exacted from the country at large. Not once only but five times the writs went out. The issue of such a series showed that the plea of emergency had been dropped, and that ship-money was to be a permanent tax levied without the assent of parliament.

1635 Hampden, a Buckinghamshire gentleman, stood forth and refused to pay the tax. There was a long and ever-memorable argument before the whole bench of judges. By this time the judges, holding office as they did during the pleasure of the crown, had been pretty well reduced to the condition of lions beneath the throne. One of them, Heath, had been dismissed, most likely on political grounds. Clarendon, high royalist as he is, deplores their debase-

ment. It is wonderful, and shows the influence of professional conscience and of care for professional reputation, that they should not have been unanimous in their judgment for the crown. Hampden was condemned to pay, but of him the king had not heard the last. More famous though not more deserving of fame than Bate or Chambers, he stands in history the type of a character which England has failed fully to transmit, as she has failed fully to transmit political independence generally, to her offspring in the new world. The logic of the judges, Clarendon says, and, he might have added, that of the crown lawyers, left no man anything that he might call his own. Chief Justice Finch outvied the rest of the bench and even the crown lawyers in exaltation of the prerogative.

The country meanwhile was prosperous. Taxation, though unconstitutional, was not heavier than constitutional taxation had been. Monopolies were galling, that of soap especially, but not unbearable. Tonnage and poundage when levied by prerogative were not more onerous than when levied by law. Fines for refusal of knighthood touched only a few, and those chiefly of the wealthier sort. Afforestations were local. The encroachments of prerogative were masked by law, to which, though delivered by servile judges, the mass of the people would submit. The government was not inactive in material improvement; it set up a letter post, made sanitary regulations, undertook the draining of fens. The legal profession generally was on the king's side. So, of course, were the clergy. If the crown had no standing army, the patriotic opposition had no means of forming a front, and the crown could raise troops at any moment, while the opposition could not. In the county and the

borough freedom still had ramparts; otherwise in the political region there seems to have been nothing to prevent the government from gradually establishing itself on a basis independent of parliament. Had Strafford instead of Laud been at the centre of affairs, the course of English history might have been changed. But Strafford was too great for Charles, and his reforms, however they might please Laud, pleased not courtiers or the queen. To bid the courtiers support a minister in doing away with corruption in order to save the government was to bid them give up that which made the government worth saving.

The government, Buckingham's insane desire of shining on the continental field having ceased to animate it, had staunched one source of expenditure by keeping pretty well at peace. The king's only definite object in his continental policy was the family one of recovering the Palatinate. This he sought without regard to any great cause, or to the religious character of any power which for the time being he thought likely to help him to his end. The deep of the Simancas archives has given up the fact that in order to obtain Spanish aid he was ready to enter into a league with Spain for the dismemberment of the independent Netherlands. He wove over the whole of Europe a tangled web of self-contradictory and futile diplomacy, earning the contempt of all the powers by affecting to dominate without force, and showing how feeble is the voice of the ambassador when unseconded by the voice of the cannon. His own leaning was to connection with the great catholic monarchies. From the Dutch, the natural allies of England, he and his bishops shrank as from Calvinists and republicans, though in the Stadtholderate monarchy had a compeer.

In Germany up to this time everything had been going down before the Imperial and catholic generals, Wallenstein and Tilly. Last of all the king of Denmark had sunk before Tilly at Lutter. At length, like 1626
a meteor from the north, Gustavus Adolphus descends upon the scene and turns the day in favour of the pro- 1632
testant cause. All protestant hearts in England leap with joy. Whether the hearts of the court did may be doubted. But at all events Charles was quit of the business at the price of sending a few volunteers and a little money; and his finances were thus spared.

Not the political but the ecclesiastical sphere was the destined scene of the fatal crisis. The civil war which is coming was truly named the Bishops' War; the strongest force and the prevailing character of the revolution were religious; the dictator who emerged from it was the military chief of a religious party. Anglicanism and Puritanism yoked by the political compromise could not draw together. Anglicanism was and is hierarchical, sacerdotal, sacramental, ritualistic. Puritanism was the reverse of all these. Anglicanism was Arminian, holding the doctrine of free will, which let in good works and the agency of the church, that is, of the clergy. Puritanism was Calvinistic, admitting no influence on the soul but that of God. The great ordinances of Anglicanism were the sacraments. The great ordinance of Puritanism was preaching. Anglican worship was liturgical; that of Puritanism was not. Anglicanism put the communion table at the east end of the church, treating it as an altar, and received the communion kneeling. Puritanism put the table in the middle of the church to show that it was not an altar, and received the communion sitting. On

this question as to the position of the table and the posture of the communicant, the two parties came into palpable collision. The Puritan freely used the table, so sacred in Anglican eyes, for secular purposes. He treated the church chiefly as a preaching house; left it often in a slatternly state, disgusting to the Anglican, and disfigured it with pews, huge if he was a person of quality, while he smashed the painted windows and the images of saints which Anglicans loved more than they cared to say. The Puritan kept no saints' days, abhorring them as human inventions; but he religiously kept or tried to keep the Jewish Sabbath. The Anglican kept saints' days, while he practised archery, played games, and danced on the green on the Sunday afternoon. Maypoles and Christmas festivities, the delight of the Anglican, were the detestation of the Puritan. In manners, and to some extent even in dress, the two sects were opposed to each other; the Anglican or the Cavalier, as he came presently to be called, being free and jovial, often to excess; the Puritan, strict and severe. The Anglican loved stage plays, which the Puritan reprobated, not without plausible reasons, as is shown by the comic scenes of Massinger and other playwrights, to which probably corresponded too often the conversation of the players.

Not that the leading Puritans were crop-eared and sour-visaged fanatics, however much of that sort there might be in the lower sections of the party. Colonel Hutchinson is painted by his wife, who, if she is partial in her description of her husband at all events gives us the Puritan ideal, as a perfect gentleman, highly accomplished, skilled in manly exercises, polished in manners, and courteous to all, as well as deeply religious, strictly pure, and

exemplary in performance of all the duties of life. There was certainly not less of the "humanities," as classical culture was called, on the side of the Puritan than on that of his opponent. Nor did the Puritan gentleman differ from the Cavalier in costume, except that his dress was more sober. That he was not crop-eared, but wore long locks, is shown by the portraits of the time. The London apprentices were cropped, and the nickname of Roundheads was extended from them to the party. Milton combines with Puritanism and the political republicanism to which it tended, the utmost graces of the Renaissance and of classical culture. He had a heart even for the high-embowered roof with its antic pillars; for the storied windows, richly dight; for the dim religious light which they cast; for the pealing organ and the full-voiced choir. The author of "Comus" did not reprobate, though he purified, the stage. That Milton should have taken the Puritan side is strong proof that it was the side, not only of protestantism and liberty, but of intellectual and moral aspiration. Our best reason for sympathizing with the Puritan and parliamentary cause in the coming battle is that in that camp on the whole were the most powerful and enlightened minds and the noblest characters of the day.

Puritan was in fact another name for protestant. It meant practically the man whose rule of faith was in the Bible, while the catholic's rule of faith was in the church. But what was the Bible? All the sacred books of the Jews collected and bound up as one with the history and words of Jesus, whom the Jews slew as a subverter of their religion, and with the history and words of his disciples. In the New Testament the Puritans would find, in the Sermon on the Mount, precepts of meekness, hu-

mility, forgiveness of injuries; of forgetfulness of self, of benevolence without bounds. They would find a total disregard of the things of this world. They would find perfect equality in Christ, the universal Fatherhood of God, the universal brotherhood of man. They would find a God of love and mercy. In the Old Testament they would find righteousness, purity, worship of one God, hatred of idols. But they would find a God different in aspect from the God of the New Testament, a jealous God, a God of vengeance, a God who visited the sins of the fathers upon the children unto the third and fourth generation. They would find a chosen race with its covenant of circumcision and its tribal law. They would find the Canaanites, without regard for age or sex, smitten with the sword and their land given by a partial God to the chosen race. In the stories of Sisera and Agag they would find not only mercy, but morality, sacrificed to religious zeal. They would find witchcraft punished with death. They would find disobedience to parents punished with death. They would find slavery recognized as lawful, though in a comparatively mild form. Nor had they any philosophy of history to teach them that these things were all primeval and had passed away. They would find much to suggest that the saints were to inherit the earth, and that sinners, above all heretics and blasphemers, were to be summarily despatched to hell. The common minds among them, especially in a time of civil strife, would find the precepts of the Old Testament more easy of fulfilment, and its examples more easy of imitation, than the precepts and the example of Jesus. In most of them there would be a curiously mixed character, the two Testaments mingling and contending

with each other, and the Old Testament generally prevailing over the New.

The common Puritan of the middle class has painted himself in the historical reminiscences of Nehemiah Wallington. Nehemiah lives in an Old Testament atmosphere of special providences and divine judgments. He sees strange apparitions in the air and fancies that God turns bullets. He is capable of believing that when a husbandman ploughed on the Sabbath, the iron with which he cleaned his plough stuck to his hand and could not be got out for two years. He is an intense Sabbatarian and a bitter enemy of organs and May-poles. He everywhere scents popery and popish plots against the people of God. If he gets the upper hand, compulsory piety, with hypocrisy in its train, sanguinary laws against heresy and blasphemy, execution of popish priests, burning of witches, suppression of natural pleasures and of the harmless gaiety of life, breeding inward vice, are too likely to be the order of the day. Against Nehemiah Wallington there is not a little to be said for Laud.

All England, however, was not Laudian or Puritan. Between the two great religious parties, philosophically above them both, were the Liberals, such as Hales, Chillingworth, Falkland, and the intellectual group for which Falkland kept open house at Great Tew, precursors of the Cambridge Platonists and of the Broad Churchmen of our own day. These men sought unity, not in a compulsory rule of any kind, but in freedom and charity. Unfortunately the hour of freedom and charity was not come, and the feeble band of their votaries was crushed in the collision of the two great adverse masses of opinion.

Nor were the clergy of the church of England, or even its bishops, all Laudian. Bishop Usher, whose learning and character everybody deeply respected, was for a limited episcopacy without pretence to divine right, midway between the Anglican polity and that of the Presbyterians. He had Laud's old antagonist, Williams, more politician than ecclesiastic, able and acute as well as aspiring, though wanting in character and ballast, on his side. An Usherian episcopate with exclusion of the bishops and clergy from secular office or power would have satisfied a large portion of the respectable and serious laity. But the avalanche of revolution once set rolling, moderate counsels seldom arrest its course.

Calvinism, it is necessary to remember, had been the doctrine of the English Reformation, and was at this time the established creed of the political classes, the gentry and the burghers. Arminianism and the catholicism which came in its train, though reactionary, presented themselves as innovations, and were resisted by the conservatism of the nation, till Puritanism, by assailing episcopacy and the Book of Common Prayer, aroused conservative feeling on the other side.

1635 Armed with the power of his archbishopric, and having the crown, the privy council, the star chamber, and the ecclesiastical court of high commission at his back, Laud at once set about the suppression of Puritanism. He carried the table back to the east end, cleansed and renovated the churches, forced the communicants to kneel, arrested iconoclasm, revived the ritual, and restored the clerical costumes, which he deemed the beauty of holiness. He set a striking example of ritualism, and one which gave special umbrage, by his ceremonies and genuflexions

in the consecration of the church of St. Catherine Cree. 1631
The bishops, now mostly of his school, were set at work to enforce conformity, which they did with zeal, to the general irritation of the people, who, now used to Puritan ways, regarded ceremonial and even reverence as return to Rome. The Puritans had set up a preaching establishment of their own, supported by a fund in the hands of a board of trustees, like the Simeon trustees of a later time, that, while they formally attended the unsavoury performance of the state liturgy, they might hear the savoury preaching of the Word in their own way. These preachers Laud put down. To flout the Puritan Sabbath, the Book of Sports encouraged Sunday games. The con- 1633
gregations of protestant refugees from the continent, which had hitherto been allowed their own worship, were now broken up. This was the work of Archbishop Neile, court-sycophant and heretic-burner of the last reign, a sinister figure at Laud's side. Even to the chaplaincies of English regiments in the Dutch service, Laud's martinet rule was extended. Those, mostly peasants, who persisted in their free worship, with a Puritan clergyman at their head, were hunted down by the magistrates and pursuivants. Some of them fled first to Holland, then to New England, where, children of a grand destiny, they founded a religious community beyond the Atlantic.

Suspicions of a design to lead England back to Rome widely prevailed. Nor were they devoid of foundation. Certainly the suspicion of a tendency was not. What Laud himself wanted was probably to be a Lambeth pope. He had waged controversial war against the Jesuits, and when one who professed to speak for the pope offered him a cardinal's hat, he had put the offer

aside, not, it is true, in a very peremptory manner, saying that "something dwelt within him which would not suffer that till Rome were other than she was." Perhaps he might not have been unwilling to treat on an equality with Rome if it had been possible for Rome to treat. His suffragan and associate, Bishop Montague, declared at last for union with the papacy, and if Panzani, the papal envoy, spoke truth, expressed his belief that Laud, though more cautious, was of the same mind. But whatever the archbishop's aim might be, sacerdotalism, sacramentalism, and ritualism could hardly fail to draw men to the place to which those principles belonged. Conversions to Rome were numerous, not only among weak women of fashion, caught by ritual, incense, artificial flowers, and the fascination of Jesuit directors, but among men of the world and ministers of state, including no less than four privy councillors. Bishop Montague, it seems, would have gone over if Rome could have entertained his stipulation for the recognition of his orders, to which she of course said then, as she says now, *non possumus*. Bishop Goodman was believed to be an actual convert, though he retained his see. Worship of Mary began to creep into Anglican devotion, and there was an incipient revival of monasticism, though in an Anglican version. Panzani, visiting England, found that he was a centre of attraction and that the outlook for his cause was hopeful. The queen and her little circle plied all their arts, and formed a magnet for secession. This drama has been acted over again in our own day. Again we have been told that Anglican ritualism is the true antidote to Romanism; and again Anglican ritualism has sent a bevy of converts over to Rome. Besides, if sacerdotalism, sacramentalism, and

ritualism were to prevail, would it signify whether they were Anglican or Roman? That Lambeth was nearer than Rome would not make its yoke less oppressive. Nor would protestants of that day be made less sensitive by seeing that the fortunes of their cause over Europe were declining and a catholic reaction had set in. The Reformation had run its course of demolition; the work of reconstruction was not so easy. Dissension prevailed; sects multiplied, controversy raged, fanaticism and anarchism disgraced the cause. The catholic church presented unity, authority, and peace to the troubled in mind. To monarchs and monarchical statesmen she presented herself as the ally of political order. To the cultured she offered antiquity, majesty, and art.

There was as yet no legal censorship of the press, but the government, as the self-constituted guardian of the public mind, had assumed the censorship and now prohibited Puritan publications. Illicit publications of extreme violence were the natural result. For writings of violence certainly extreme against Laud and his system, Burton, a clergyman, Bastwick, a physician, and Prynne, a lawyer, representing among them the three great professions, were brought before the council. Prynne, a 1633
prodigy of dry legal erudition, a bitter Puritan, and a most indomitable controversialist, twice incurred the censorial wrath, once by a supposed aspersion on the character of the queen, who had taken part in an unhallowed masque. The punishments of these men, meted out by those whom they were accused of libelling, were scourging, pillorying, cutting off of ears, branding, and finally imprisonment in remote and lonely dungeons. John Lilburne, charged 1638
with printing and circulating Prynne's and other unli-

censed writings, suffered the same punishments and was barbarously treated in prison. If Leighton, another vic-
1630 tim, is to be believed the bishops were for the severest sentence, and when judgment had been pronounced Laud took off his cap, lifted up his hands, and thanked God, who had given him the victory over his enemies. Our indignation at Anglican inhumanity must be tempered by our recollection of Puritan inhumanity in the case of Floyd; and that case was not unique.

Puritan resentment was bitter. Apart from Puritanism, also, there was the general hatred of clerical meddling and domination which had manifested itself at other times. But there were no means of organizing a combined resistance. Everywhere the government had its officers and satellites. It could at once have raised or imported force enough to put down a rising, while its enemies were unarmed. Nor was there any newspaper press or quick postal communication to give unity to disaffection. The bishops reported to Laud that conformity was almost universal. There was but little work for the High Commission. But in an evil hour for himself Laud resolved to extend uniformity and impart his beauty of holiness to Scotland. Here he came into collision with a united and almost unanimously hostile nation, whose patriotism, moreover, since the transfer of the political centre to England, had assumed a specially religious form. James had succeeded in discrowning the Presbyterian theocracy, the political tendencies of which he with good reason suspected, while he had suffered under its long sermons, its extemporaneous prayers, and the un-
1618 courtly homilies of its ministers. He had restored episcopacy. In this he had been supported by the nobles,

who were tired of ministerial domination, and by a reaction against Presbyterian narrowness and violence, of which the focus was the University of Aberdeen. But the old king knew the Scotch too well to attempt to force upon them an English liturgy. This Laud attempted. The result of his attempt was resistance fierce and general. The liturgy was doubly hateful to the Scotch people; in itself as a return to popery, and because it was imposed by England. A dress performance of it in St. Giles's Kirk at Edinburgh gave rise to a riot, with strong 1637
Scotch language and flinging of stools. Scotland blazed out into resistance, into rebellion. There followed a revolutionary convention of the four estates; nobles, clergy, land-owning gentry, and burghers, under the title of the Four Tables. Charles had already set the nobles against him by forcing them, righteously enough, to disgorge some of the plunder of the Kirk, as well as by putting ecclesiastics over their heads into the offices of state. A Solemn League and Covenant was framed and signed 1638
with enthusiasm by people of all classes. At Edinburgh it was laid out on a tombstone in the Grey Friars churchyard, while multitudes pressed round to sign with tears in their eyes. Those who put their hands to it "professed, and before God, his angels, and the world, solemnly declared with their whole hearts that they agreed and resolved all the days of their life constantly to adhere unto and to defend the foresaid true religion; and forbearing the practice of all novations already introduced in the matters of the worship of God, or approbation of the corruptions of the public government of the Kirk, or civil places and powers of Kirkmen till they had been tried and allowed in the assemblies and in parliaments,

to labour by all means lawful to recover the purity and liberty of the Gospel as it was established and professed before the foresaid novations." The Covenanters swore that they would "to the uttermost of their power, with their means and lives, stand to the defence of their dread sovereign, the king's majesty, his personal authority, in the defence of the foresaid true religion, liberties, and laws of the kingdom." These highly loyal rebels always rebelled against the king in the king's name. Hamilton, who managed for the king in Scotland, strove to stem or to divert the movement; but in vain. Being mainly religious, the movement presently found its organ in the general Assembly of the church, which, however, included a large lay element. By revolutionary acts of
1639 that Assembly episcopacy was swept away, and the Presbyterian polity was restored. Once more the preachers took the lead, with the great preacher of the day at their head. After Knox, Andrew Melville had judged the Scottish Israel. Alexander Henderson now judged it in his turn. Scotland rose up against Charles a revolutionary and theocratic republic. Its political leader was Argyle, chief of the greatest of the Highland clans, but a Lowland and Covenanting politician, the deepest and most ambitious of that class.

The Scotch Covenant had at once a blue-bonneted army of enthusiasm, including not a few soldiers trained in the German wars, and some who had fought under Gustavus. It had also an experienced general in old Alexander Leslie, whom, though he was a soldier of fortune, the nobles had the good sense to obey. Charles had no army, he had no general, he had no money. London, when he appealed to her for money, drew her purse strings tight.

Not only was she Puritan, but she was smarting under the sequestration of her lands in the north of Ireland for an alleged breach of the charter. The agitated mind of the king turned to Spain for aid. But though a king he was not a catholic, and Spanish theologians probably drew an impressive moral from his misfortunes. Rome, to which the queen with desperate imprudence was allowed to apply, answered that much might be done for the king if he were a catholic. Charles could only call out the raw militia of his kingdom by the exercise of his feudal power. Pay or feed his troops he could not. Consequently he could not maintain discipline among them. Their hearts were not with him in the quarrel; the hearts of many of them were against him; and those who were indifferent were estranged and exasperated by being dragged from their homes. The result, after a march to 1639
the border, was a miserable collapse on the king's side, followed by his half surrender and by an ambiguous treaty, which at once broke down, the king clinging to the hope of one day restoring episcopacy, with which Presbyterian Scotland was determined for ever to do away. Once more Scotland threw herself into an attitude of rebellion. Charles, in his extremity, called to 1640
him from Ireland his one thoroughly able man, Wentworth, and gave him a pledge of confidence, before refused, by creating him Earl of Strafford. By Strafford's advice he convoked parliament and appealed to it for sup- 1640
plies to put down the rebellion in Scotland. The Commons, under the guidance of Pym, whose experience of parliament enabled him to step into the leading place, replied in effect that they would grant the king supplies if he would recognize their supremacy alike in church and

state, and conform his policy to their will, thereby in effect admitting that they were the sovereign power. A Remonstrance in that sense was framed by Pym. Not yet reduced to this virtual abdication, Charles dissolved
1640 the parliament and threw some of its bold spirits into prison. Convocation added to the flame by continuing to sit after the dissolution of parliament, voting a subsidy of its own, and passing, as a counterblast to the Scotch
1640 Covenant, canons proclaiming the necessity of episcopacy and the divine authority of kings. Strafford, his temper perhaps rendered more violent by gout, breathed war, and, if his words were rightly reported, laid it down in the council that the king, by the refusal of parliament to do its duty, was released from constitutional restraints, and at liberty, for the suppression of rebellion, to avail himself of any means in his power. Desperate expedients were employed to raise money; bullion was seized in the mint, and the currency was debased. By this time the Puritan leaders in England had opened communications
1640 with Scotland, and the ground was mined beneath the king's feet. A second expedition against the Scotch ended in worse disaster than the first. The English army refused to fight, the Scotch in their turn invaded England, and were received not as enemies, but as allies. The last straw at which the king caught to break his now inevitable fall was an assembly of the peers, called
1640 in the old form of the Grand Council, which, though superseded by parliament, still remained in constitutional existence. The peers could in the upshot advise nothing
1640 but the assembling of parliament. Parliament was called. The king came to the opening not in his usual state but humbly in his barge as a vanquished man.

The Long Parliament is truly so called, since it lived for twenty years, though part of the time in a state of suspended animation, and through all the phases of a great revolution. It may be said to have carried political England finally out of the middle ages.

Imperfect as the representation was, petty boroughs being controlled by the crown, while important towns were unrepresented, the sentiment of the hour prevailed, as it did in the election of the parliament which carried the Reform Bill of 1832. When the House of Commons 1640
met, political England, that is to say, the England of the land-owners, the yeomanry, and the burghers, was there. The peasantry and mechanics, for the most part, appear to have taken little interest in the controversy, and when at last they appeared on the field of civil war it was in the form of tumultuary bodies of clubmen rising in defence of their hearths and their bread against disturbers and plunderers of both parties. This was not, in its origin at least, a democratic revolution. It was a revolution of the gentry and the middle class. Its authors could defend themselves against an imputation of lawless tendencies by saying that it was not likely that such bodies as the two Houses of Parliament, filled with the "nobility and gentry" of the kingdom, should "conspire to take away the law by which they enjoyed their estates, were protected from any act of violence and power, and differenced from the meaner sort of people with whom otherwise they would be but fellow-servants."

Looking round the old chapel of St. Stephen, where the Commons sat, we see the chiefs of the parties, actual or eventual, of the revolution. There is Pym, soon accepted once more as the leader, King Pym, as he was

presently nicknamed, to whom Clarendon pays the compliment of saying that he was "the most popular man and the most able to do hurt that had lived in any time." There is Pym's second self, Hampden, the patriotic opponent of ship-money, of whom Clarendon says that he was "of the most discerning spirit, and of the greatest address and insinuation to bring anything to pass that he desired of that time, and who laid the design deepest." There is Vane, "young in years, but in sage counsel old," the most advanced of liberals, too advanced even for New England, which he had visited and disturbed. There is Oliver St. John, an enigmatic figure, nicknamed the "dark-lantern man" of his party. There is the fiery Strode, who had once held down the Speaker in his chair while patriotic resolutions were being passed. There is the highly intellectual Fiennes, with Genevan associations. There are representatives of Presbyterianism, such as Denzil Holles, Haselrig, and Stapleton, who in the course of the revolution will have their hour. There is Falkland, literary, refined, the centre of an intellectual and liberal circle, intensely sensitive and impulsive, who will go into civil war "ingeminating peace"; the type of the philosophic and literary liberals, most of whom, repelled by Puritan fanaticism, will, in the day of battle, sadly incline to the royalist side. There is Falkland's friend Hyde, afterwards Lord Clarendon, mentor of royalty and royalist historian that is to be. There are Digby and Culpepper, who, with Falkland and Hyde, will soon pass over to the reaction. There are the great constitutional lawyers, Selden, Whitelock, Maynard, and Glyn, whose views and aims, as political reformers, are bounded by the law. In this assembly are no Jacobins; hardly even Girondists.

Politically the most extreme man among them is Henry Marten, a republican, not of the Puritan, but of the Roman stamp.

In religion the extreme man is Oliver Cromwell, who represents the Independents in virtual, though not yet avowed, secession from the Anglican establishment. Cromwell is one of the members for Cambridge, in the eastern district, which is strongly Puritan. He is, in his own phrase, a gentleman, one of the younger branch of a family which had derived its wealth from the confiscation of the monasteries, and a relative of Hampden. He has been at a classical school, at Cambridge, at an Inn of Court. He is passionately religious, after having been, as he fancies, the chief of sinners, but endowed at the same time with practical capacity, which makes itself felt from the first, in spite of his uncouth garb and total want of grace and fluency as a speaker. Sir Philip Warwick sees him in "a plain cloth suit, which seemed to have been made by an ill country tailor, linen plain and not very clean, a speck or two of blood upon his band, which was unfashionably small, and a hat without a hat-band." "His stature," Warwick says, "was good; his countenance swollen and reddish; his voice sharp and untunable; and his eloquence full of fervour." Cromwell's eloquence, thereafter to be heard, was the thunder of victory. Warwick as a fine gentleman was scandalized at the attention paid to such a speaker.

In the House of Lords, too, there are notable men. A majority of the peers were Stuart creations, some of them for cash. But cash was not court favour, and the peers, though they had long lost their feudal independence, had acquired a certain independence of assured rank,

wealth, and dignity. The House was conservative, of course, and already under the Stuart parliaments there had been murmurings at their lukewarmness in the patriotic cause. Yet they had among them Puritans and reformers of mark, such as Bedford, Saye and Sele, Brooke, or Essex and Kimbolton, afterwards Manchester, the parliamentary generals that were to be. It was an age in which religious enthusiasm lifted men above rank and wealth.

London, the place of meeting, is Puritan and hostile to the court. The royalist historian calls it the sink of all the ill humours of the kingdom. In this as in the French Revolution the patriotism of the Assembly has the street on its side, and sometimes brings mob intimidation to bear. The London apprentices especially were always ready for a fray. The device of petitioning is also called into play, as Clarendon avers, and the art must have been already far advanced, if names which had been signed to a mild petition were cut off and appended to a stronger.

The line of cleavage between the parties in the Long Parliament, on which separation in the end will take place, is religious; it is the line between episcopacy and the Prayer Book as by law established, on the one side, and Presbyterianism or Congregationalism on the other.

Scotch commissioners are there to treat for peace, arrange a pecuniary indemnity, and at the same time support the Puritan cause; while the Scotch army encamped in England affords its moral support to its English friends.

Of the four hundred and ninety-three members who had sat in the Short Parliament, two hundred and ninety-four were returned again. But men who before had spoken of moderate remedies now talked in another strain. Pym told Hyde that they must be of another temper than they

were in the last parliament; that they must not only sweep the House clean below, but must pull down all the cobwebs which hung in the top and corners, that they might not breed dust and so make a foul House hereafter; that they had now an opportunity to make their country happy by removing all grievances and pulling up the causes of them by the roots, if all men would do their duties. Whence Hyde inferred that "the warmest and boldest counsels and overtures would find a much better reception than those of more temperate allay." Yet these men came in a spirit which could hardly be called revolutionary, since their object was, not like that of the French Revolutionists, to break with the past and make a new world, but to put a stop to what they deemed innovation, above all to Romanist innovation, on the part of the king and his advisers.

Charles had called to him Strafford. The earl knew his danger; but the king had pledged to him the royal word that not a hair of his head should be touched. He came, foiled, broken by disease, yet still resolute, prepared to act on the aggressive, perhaps to arraign the leaders of the Commons for treasonable correspondence with the Scotch. But he had to deal, in his friend and coadjutor of former days, with no mere rhetorician, but with a man of action as sagacious and as intrepid as himself. Pym at once struck a blow which proved him a master of revolu- 1640
tion. Announcing to the Commons that he had weighty matter to impart, he moved that the doors should be closed. When they were opened, he carried up to the Lords the impeachment of the Earl of Strafford. The earl came down to the House of Lords that day with his brow of imperial gloom, his impetuous step, his tones and

gestures of command; but scarcely had he entered the House when he found that power had departed from him; and the terrible minister of government by prerogative went away a fallen man, none unbonneting to him, in whose presence an hour before no man would have stood covered. The speech by which Pym bore the House on to this bold move, so that, as Clarendon says, "not one man was found to stop the torrent," is known only from Clarendon's outline. But that outline shows how the speaker filled the thoughts of his hearers with a picture of the tyranny, before he named its chief author, the Earl of Strafford; and how he blended with the elements of indignation some lighter passages of the earl's vanity and amours, to mingle contempt with indignation and to banish fear.

Both Houses and almost all their members moving together, a clean sweep was made of government by pre-
1641 rogative. After Strafford, Laud was impeached and thrown into prison to await his trial. Cottington, Finch, and other ministers of arbitrary government cowered or
1640 fled. Prynne, Burton, and Bastwick were set free and came home in triumph, the people going out to meet them in thousands, strewing flowers in their way, and mingling shouts of welcome with fierce outcries against the bishops. Chambers was indemnified for his losses and sufferings.
1641 Ship-money was abolished. Ship-money judges were called to account, and the most obnoxious of them, Berkeley, to make an awful example, was arrested on the bench of justice. The other fiscal supplies of arbitrary rule, as compositions for knighthood, forest claims and fines, were cut off, and an end was put to monopolies. Levying of taxes without consent of parliament was forever condemned.

The courts of star chamber and high commission were 1641
abolished, and the action of the privy council was reduced
within constitutional bounds. The council of the north, 1641
the presidency of Wales, and other local remnants of
arbitrary jurisdiction were swept away. Here the tide of
change reached high water mark. After this the waves
rose much higher, but not the tide.

To all this loss of prerogative Charles was fain to assent.
He was fain to allow parliament to assume and exercise
the supreme power while it wielded the besom of political
reform. Still Charles was king. It was in his power at any
moment to dissolve parliament, and to reduce its members
to the condition of private men and subjects; nor could it
meet again except by the king's command. The Scotch
army, its present support and really in its pay, would then
be paid off and gone. Thus government by prerogative
might revive. Here lay the weakness of a parliament
aspiring to be the government. To cure it an Act was 1641
passed, and received the enforced assent of the king,
providing that parliament should be called at least once
in every three years, and that if the king failed to issue
the summons, it should be issued in his name by the
chancellor, or in default of the chancellor by any twelve
peers; and if no peers assembled for the purpose, the
local officers should proceed to the election. This might
be called a reversion to the old Plantagenet statutes,
which prescribed annual parliaments, and in that sense
might be constitutional. But a further Act was passed, 1641
forbidding the dissolution of the parliament then sitting
without its own consent. This was a measure of revolu-
tionary necessity, though veiled under the pretext that
parliament was borrowing money to pay off the Scotch,

and could not give security to lenders unless its own existence were secured. The Commons also took the finances into their own hands; they granted large supplies, partly to pay off the Scotch, but themselves regulated the disbursement. As the revolution advanced they began to legislate under the form of Ordinances without the consent of the crown, and to exercise the executive power. They were, in fact, though unconsciously, drawing the sovereignty to themselves. This is the key to the political situation and at the same time the defence of Charles.

It was not less fear of Strafford than resentment of his crime against the state that determined the Commons to take his life. His Irish army, believed to be intended for the subjugation of England, was his rankest offence; and that army still hung, or was believed to hang, a thunder-cloud on the political horizon. The vast hall of Westminster
1641 was made ready for the grandest political trial in English history, a trial to be compared rather to that of Strafford's master or to that of Louis XVI. than to the ship-money trial, to that of the bishops in the time of James II., or to that of Warren Hastings. The Lords formed the court. The hall was crowded with spectators whose excitement was at first intense, though as the trial dragged on listlessness ensued. The king was there behind a lattice, through which he broke in his eagerness to see. There he heard these words of Pym, "If the histories of eastern countries be pursued, whose princes order their affairs according to the mischievous principles of the Earl of Strafford, loose and absolved from all rules of government, they will be found to be frequent in combustions, full of massacres and of the tragical end of princes." The best speakers of the

Commons, Pym at their head, used all their eloquence. Nor was the quarry unworthy of the hunt. Strafford defended himself magnificently, and awakened much sympathy, especially among the ladies of rank. It was said that like Ulysses, though not beautiful, he had the eloquence which could inspire a goddess with love. He had to plead his own cause against the powerful array of managers for the Commons. He was allowed counsel only on points of law, it being held beneath the dignity of the Commons, as of the crown, to plead against advocates, as though anything were more undignified than injustice. The practice was a survival of the time when every man pleaded his own cause, and the advocate, as the Latin word and its Greek synonym import, came in only as a prompter or a seconder.

To bring Strafford's case within the treason law it was necessary to feign that he had levied war against the king. But the king had been his accomplice. So far as the statute was concerned he might well protest against the unfairness of the charge. The real charge against him was unknown to the law or hitherto to the constitution, treason against the nation, in "having endeavoured by his words, actions, and counsels to subvert the fundamental laws of England and Ireland, and to introduce an arbitrary and tyrannical government." Of this he was guilty, and if the proof does not seem to us complete, it seemed complete to the men of that time, who had the facts before their eyes. Those on whom he had trampled, or whose malpractice he had perhaps curbed as lord deputy of Ireland, bore hard on him with their testimony. But the most fatal piece of evidence against him was a paper of notes taken down by the elder Vane, who was secretary of state,

and abstracted by the younger Vane, of advice given to the king by Strafford in council, and importing or seeming to import that, parliament having refused supplies, the king was absolved from constitutional rules of government, and might have recourse to any means that he saw fit, including the employment of the Irish army, for the subjugation of England.

Pym put forth all his powers as an orator. And they were great. If his general style was argumentative, and even somewhat heavy and homiletic, he was capable of electric strokes, and sometimes makes us think of him as a very Puritan Mirabeau. To the charge of arbitrary government in Ireland, Strafford had pleaded that the Irish were a conquered nation. "They were a conquered nation!" cries Pym. "There cannot be a word more pregnant or fruitful in treason than that word is. There are few nations in the world that have not been conquered, and no doubt but the conqueror may give what law he pleases to those that are conquered; but if the succeeding pacts and agreements do not limit and restrain that right, what people can be secure? England hath been conquered, and Wales hath been conquered; and by this reason will be in little better case than Ireland. If the king by the right of a conqueror gives laws to his people, shall not the people by the same reason be restored to the right of the conquered to receive their liberty if they can?" Strafford had alleged good intentions as an excuse for his evil counsels. "Sometimes, my lords," says Pym, "good and evil, truth and falsehood, lie so near together that they are hard to be distinguished. Matters hurtful and dangerous may be accompanied with such circumstances as may make them appear useful and convenient. But where the mat-

ters propounded are evil in their own nature, such as the matters are wherewith the Earl of Strafford is charged, as to break public faith and to subvert laws and government, they can never be justified by any intentions, how good soever they be pretended." Again, to the plea that it was a time of great danger and necessity, Pym replies, "If there were any necessity, it was of his own making; he, by his evil counsel, had brought the king into a necessity; and by no rules of justice can be allowed to gain this advantage by his own fault, as to make that a ground of his justification, which is a great part of his offence." Skilfully he raises the minds of the judges from the factitious and technical to the real indictment. "Shall it be treason," he says, "to embase the king's coin, though but the piece of twelvepence or sixpence? And must it not needs be the effect of a greater treason to embase the spirit of his subjects, and to set up a stamp and character of servitude upon them, whereby they shall be disabled to do anything for the service of the king and commonwealth?" To the objection, which was true enough, that the charge was novel, his answer is, "Neither will this be a new way of blood. There are marks enough to trace this law to the very original of this kingdom; and if it hath not been put in execution, as he allegeth, these two hundred and forty years, it was not for want of law, but that all that time hath not bred a man bold enough to commit such crimes as these." He takes always the high political ground. "To alter the settled frame and constitution of government is treason in any state. The laws whereby all other parts of a kingdom are preserved would be very vain and defective if they had not the power to secure and preserve themselves." Strafford might have retorted that to put the mon-

archy under the feet of parliament, as Pym was doing, was to alter the settled frame and constitution of government as much as they could have been altered by putting the parliament under the feet of the king. Once, we are told, while Pym was speaking, his eyes met those of Strafford's, and the speaker grew confused, lost the thread of his discourse, and broke down beneath the haggard look of his old political friend.

Oratory has from that time to this been a mighty power in politics, and its early masterpieces are momentous events.

The trial dragged and the Lords appeared to waver. The majority in the Commons growing impatient, overbore their leaders, who wished to demand a verdict on the impeachment, and determined to take judgment into their own hands by an Act of Attainder, thus once more confounding the legislative and judicial powers, as they had been confounded in early times. The bill passed by
1641 204 to 59, Falkland, and in all probability Hyde, with many others who afterwards became royalists, voting Aye. The vote of the Lords was still doubtful. Strafford's fate was sealed by a plot, of which the queen's circle was the centre, for bringing up the army which had been raised against the Scotch and lay not yet disbanded in the north, to overawe the parliament; a scheme like that by which Marie Antoinette and her evil counsellors precipitated the crash in France. The plot was betrayed. It furnished Pym with a subject for an appeal to the country, in the shape of a protestation of fidelity to parliamentary privilege and public right, and against the designs of papists, which was signed by all the Commons. Mobs threatening violence, the evil concomitant of revo-

lution, beset the Houses. The Bill of Attainder passed the intimidated Lords. Fear of the mighty enemy of parliament sealed his doom. When imprisonment for life was proposed, the answer was, "Stone-dead hath no fellow." At the last moment an attempt was made to deal with the situation in what is now the established way, by bringing the leaders of the opposition into office; but this was frustrated by the sudden death of the Earl 1641
of Bedford, a patriotic but moderate man, whose great personal influence might possibly have stilled the waves. Once more we have to acknowledge the force of accident in history.

Charles had assured Strafford, on the word of a king, that he should not suffer in life, honour, or fortune. Could he now assent to the Bill which was the earl's death-warrant? Honour by the lips of Juxon said that he could not, and honour was the true policy. But the casuistry of Williams, with fear for wife and children, turned the scale. Strafford magnanimously gave the king back his pledge. Charles miserably haggled, and at last, induced by a misapplied distinction between his private and his public conscience, gave his assent. Bitterly he afterwards re- 1641
pented the act, and with good reason, for by it he was more than discrowned. In signing Strafford's death-warrant, in truth, he signed his own doom. Abdication would have been better; but had the king shown courage it is not likely that violence would have been used. Strafford died with a dignity which embalmed his memory, and they who, rejecting any plea for a milder course, said that stone-dead had no fellow, failed to see that the memory and the influence live.

Had Charles been a strong man he might have frankly

thrown himself into the arms of parliament, with good hope of one day recovering part of his power. But if he had been a strong man he would never have been where he was. More than once in the course of the contest he or some one at his side seems to have thought of calling the leaders of the opposition into office and to have made overtures of that sort. He created patriots titular privy councillors. He offered Pym the chancellorship of the exchequer. But mutual confidence was fatally wanting. Feebly and irresolutely Charles manœuvred against a great tactician thoroughly informed of all his moves. Allowance, however, must be made not only for his natural desire to remain a real king, but for his natural belief that a real king was indispensable to the nation. In the manifestoes of all the patriot parliaments, in the speeches of all the patriot leaders, he might have found warrants for that belief.

In political reform the patriots went together, dividing only on the Bill of Attainder, and in that case not on party lines. For ecclesiastical reform they went together up to a certain mark, which was, in effect, that of a thoroughly protestant church of England. They all concurred in
1641 throwing Laud into prison, abolishing his court of high commission, clipping his ecclesiastical jurisdiction, sweeping away his ceremonial, and presently in carrying back the communion table to the middle of the church, ordering the removal of images, crosses, candlesticks, and paintings, condemning the Book of Sports, and restoring the Puritan Sabbath, against which the Book of Sports was directed. They all concurred in quashing the canons which convocation made after the rising of parliament, and practically suppressing convocation as an independent legislature. They were all alike willing to reduce the

power of the bishops, and most of them were willing to disable churchmen from holding secular office and to take the bishops out of the House of Lords. Unhappily, they were also unanimous in demanding the execution of the penal laws against the popish priests, one of whom was put to death, while another was with difficulty saved by the king. But when it came to the abolition of episcopacy and of the Prayer Book, which the Root-and-Branch party, as it was called, demanded, the more conservative hung back, a rift opened, discord broke out, and a royalist party began to form itself on a religious line. There were reformers in the state who were not levellers, and who foresaw that, state and church being bound up together, a "parity" in one would be apt to bring with it a "parity" in the other. Liberals, such as Falkland, might shrink from the domination of a popular ministry as much as from the domination of the bishops. Conservatism was naturally prevalent in the Lords, who showed themselves unwilling to consent to the removal of the bishops from their House. The reaction was all the stronger because, the depths of opinion being stirred by revolutionary agitation, fanatical sectarianism had raised its head and mechanics were daring to preach. On the Root-and-Branch Bill, for the total abolition of episcopacy, the open rupture took place. Throughout this history and down to our own time we have occasion to mark the evils and the confusion which arise from a connection of the church with the state and the entanglement of political progress with ecclesiastical and theological disputes. The fallacy was natural, perhaps inevitable, but it was profound and its effects were deadly. At the root of all was the belief in dogma as necessary to salvation.

Charles had succumbed, but he had not acquiesced. He and his queen continue to negotiate for support in different, indeed in opposite, quarters; among the catholic lords of Ireland, at Rome, at Madrid, and in Holland, whose
1641 Stadtholder's heir now marries their daughter Mary. The
1641 king declares his intention of going to Scotland, ostensibly for the purpose of settling it and of disbanding the English army by the way, really to make himself a party among the Scotch nobles, ever ready for cabal, and perhaps at the same time to collect proofs of the treasonable correspondence of the English leaders with the Scotch. Failing to prevent his going, the leaders send a committee with Hampden at its head to watch him, and the precaution was soon justified by the bursting of a plot at Edinburgh against Argyle and the Covenanting leaders quaintly designated the Incident, in which figured the restless spirit of the young Montrose.

1641 Then came like a thunder-clap the news of a great rebellion of the catholics and a massacre of the protestants in Ireland. The causes of the rebellion were race, religion, and confiscation of land, especially the last, together with the fear of a Puritan parliament and the contagion of political excitement. By the persecution of the native religion, the catholic nobles and clergy were driven to cast in their lot with the rebel peasantry, who might otherwise have been without leaders. That there was a terrible massacre of protestants cannot be doubted. Nor can we at once reject stories of special atrocity, however fiendish. Everyone knows of what Celtic frenzy in Ireland or in Paris is capable. It seems that besides those who were slain outright multitudes were driven from their homes to die of cold and want. That the excited imagination of the sur-

vivors saw ghosts is no proof of the unreality of the massacre. There must have been something to excite their imagination The shock in England was as that of a Cawnpore on a large scale and close at home. Charles was said to have used words importing that he regarded the catastrophe as rather an opportune diversion. To know whether he was himself entirely free from blame for the outbreak we must be better informed as to his dealings with the catholic nobles of Ireland.

Pym and the leaders, apprised of the machinations in Scotland, appalled by the news from Ireland, and probably not unaware of the incessant intrigues of the queen, felt that they were now standing on a mine. About this time an attempt was made to assassinate Pym. A letter was handed to him in the House from which, when it was opened, dropped a rag taken from a plague-sore, and intended to give him the plague. Violence was in the air. Pym resolved on the momentous step of an appeal against the crown to the people. It took the form of the Grand Remonstrance, a manifesto rehearsing in two hundred 1641
and six clauses all the abuses, misdeeds, and usurpations of Charles's government, civil and ecclesiastical, since the beginning of the reign, magnifying the services and achievements of parliament in obtaining redress and reform, and ending with a demand for more complete safeguards, notably for the right of excluding from the king's council all who had not the confidence of the Commons; a right which if conceded would have in effect given parliament the control of the executive government. There was, of course, the ever-recurring and ever-hateful demand for the execution of the penal laws against the catholics. To reassure the timid on the religious question and prevent a

split, the reformers declared that it was far from their purpose or desire to let loose the golden reins of discipline and government in the church, leaving particular congregations or private persons to take up what form of worship they pleased, inasmuch as they held it requisite that there should be throughout the whole realm a conformity to that order which the laws enjoined according to the Word of God. For church reformation a general synod which would not be, like convocation, under the control of the crown and the bishops, was to be convened. In the list of royal misdeeds the slow murder of Sir John Eliot was not forgotten; Pym and Hampden no doubt remembered it well, and took it as a warning against trusting themselves to the hands of Charles. The final debate on the Grand Remonstrance was a pitched battle between the two parties of revolution and reaction, now distinctly separated from each other. It was one of the great oratorical contests of history. A debate was not then a series of speeches addressed to the public outside with little thought of influencing the vote; it was a struggle for victory in an assembly still deliberative. The speakers here were of the highest order, the fight was for the life of the revolution, and the excitement was intense. Unhappily, only the barest outline of the speeches remains to us. After being fiercely debated from early morning till midnight, the Remon-
1641 strance was carried by 159 to 148. So electric was the atmosphere that the attempt of one of the minority to enter a protest brought on a storm in which members not only shouted and waved their hats wildly, but handled their swords, and but for Hampden's presence of mind might have sheathed them in each other's bowels. Cromwell said that if the motion had been lost he would have gone to New

England. We may be sure that he would not have fled from a shadow. In the impossibility, as the leaders deemed it, of relying on the good faith of the king, and the consequent insecurity of all that had been won, must be sought the justification of a step beyond doubt revolutionary and tending to civil war. The royalist historian admits that Charles had made concessions lightly because he was advised that having been made under compulsion they might afterwards lawfully be withdrawn. That the court was all along meditating a forcible resumption of its power seems to have been sufficiently proved. In the queen's circle plottings for bringing up the army to coerce parliament were always going on, negotiations for foreign aid in different quarters were always on foot, and applications were always being made for assistance to the pope, whose terms were the king's conversion.

Charles returned from Scotland in a hopeful mood. He had made his peace with the Covenanting Earl of Argyle, now master of that country. At the same time he had seen the germ formed of a royalist party, foremost in which, though lately so zealous for the Covenant, was Montrose. He probably believed himself to have found proofs of the correspondence of the English leaders with the Scotch. In his absence events had been working in his favour. The seething of the revolutionary cauldron and the appearance of anarchic forces on the scene had awakened a reaction among the wealthier classes. The people were probably galled by the taxation which the parliament had been compelled to impose in order to provide the Brotherly Aid demanded by the Scotch. The fascinating queen had skilfully plied her arts. Charles 1641

1641 was welcomed to London, and was splendidly feasted at Guildhall by a royalist who had been elected Lord Mayor. He felt confident, and received the Remonstrance with a light heart. Meantime the plot was thickening. Disbanded soldiers and other violent partisans of the court were gathered round the palace at Westminster. There were affrays between them and the city apprentices. The nicknames of Roundhead and Cavalier were heard. Mobs surrounded the Houses. The bishops, being hustled and insulted when they went to the House of Lords, withdrew,
1641 and in an unhappy moment protested that in their absence the proceedings of parliament were void, for which ten of them were, with the revolutionary violence which now reigned, impeached and imprisoned. The appointment by
1641 the king of Lunsford, a desperate character, to the governorship of the Tower naturally filled the Commons with alarm. Charles, in his wiser mood, had called into his councils Falkland, Hyde, and Culpepper, constitutional royalists who, if he had listened to their advice, might have guided him aright. But less wise counsellors, the brilliant and restless Digby, a convert to royalism, and the queen, turned his wavering mind to a less prudent course.
1642 He ordered his attorney-general to proceed against five members of the House of Commons, including Pym and Hampden, and one member of the House of Lords, Kimbolton, afterwards Earl of Manchester, for high treason. The House of Commons refused to give up the five members. Charles, goaded on by his wife, who called him a poltroon, and bade him pull out the rogues by the ears or never see her again, went in person with an armed train to arrest the members in the House. But the queen had betrayed the plot to a faithless confidante. The birds had

flown. Speaker Lenthall, questioned by the king, could neither see nor hear but as he was commanded by the House. If Charles had ever meditated further violence, which probably he had not, his resolution failed him, and he departed with his train. But all hope of peace was gone. The House took refuge in the sympathizing city, whence it returned in triumph; while a great body of freeholders rode up from Buckinghamshire to tender their support to Hampden. The king left Whitehall, whither he was to return only to die. Hollow negotiations went on, each party manœuvring for the weather-gage of public opinion. To the exclusion of the bishops from the House 1642
of Lords the king assented, probably at the instance of the queen, who, as a catholic, cared little for heretic bishops, and little for the heretic church altogether, so long as her husband kept the sword. The ultimatum of the Commons was the control of the king's council, in effect of the executive government, with the command of the military force; 1642
concessions which would practically have reduced the monarchy to a constitutional figurehead. Charles's answer was decisive. To the suggestion that he might resign the command of the military force for a time he replied, "By God! not for an hour; you have asked that of me in this, was never asked of a king, and with which I will not trust my wife and children." Then came civil war.

The voice of the cannon was preceded by volleys of paper missiles from both sides. A stately war of manifestoes was waged between Pym for the Commons and Clarendon for the king. Clarendon had the best of it, since it was impossible to prove that revolution was constitutional. Yet Pym was wise in doing his best to persuade a law-loving people that the revolution had law on its side.

It was on a political issue that the parliament finally broke with the king. But the religious question between Anglican and Puritan was the deepest after all. Loyalty to the person of the king, however, had become a tenet of the Anglican church, and apart from religion was strong among the upper gentry. As a distinct principle of action it is perhaps now avowed for the first time. "I have eaten the king's bread, and served him near thirty years, and I will not do so base a thing as to forsake him, and choose rather to lose my life (which I am sure I shall do), to preserve and defend those things which are against my conscience to preserve and defend: for I will deal freely with you, I have no reverence for the bishops for whom this quarrel subsists." So spoke Sir Edmund Verney, the king's standard-bearer, and there were many who though they had not eaten the king's bread, thought themselves like him bound, in whatever cause, to fight for the king. Sir Ralph Hopton, Sir Bevil Grenville, and Sir Jacob Astley were noble specimens of a worship of royalty which, if the idol in its shrine is sometimes an ape, is still devotion and not interest, at least not the interest of the individual man, but the sublimated interest of his class.

All wars are evils, and a civil war is far the greatest. But civil war, like international war, will remain a possibility till political science, or something clear of passion and self-interest, reigns. If socialism insists on confiscating property, and property is resolved to resist confiscation, there will be civil war; and it may be open to doubt whether the arbitrament of force is morally much worse than the arbitrament of factious strife, with the malignity, the trickery, the lying, and the corruption which it involves. That there must be a national religion, and

all must be required to conform, was the belief of both the great parties at this time, the light of religious liberty having as yet dawned but on few minds. To decide whether the religion should be protestant or anti-protestant, and at the same time whether the king or the parliament should be supreme, was in that age hardly possible save by the sword.

Sir William Waller writes to his friend and antagonist, the royalist general, Sir Ralph Hopton, "My affections to you are so unchangeable, that hostility itself cannot violate my friendship to your person. But I must be true to the cause wherein I serve. . . . That great God who is the searcher of my heart knows with what a sad sense I go upon this service, and with what a perfect hatred I detest this war without an enemy. . . . The God of Heaven in His good time send us the blessing of peace, and in the meantime fit us to receive it! We are both upon the stage, and must act such parts as are assigned us in this tragedy. Let us do it in a way of honour and without personal animosities." It was not only friend against friend and neighbour against neighbour, but father against son, son against father, brother against brother, while women's hearts were to be torn between the husband who fought on one side, the father and brother who fought on the other. Those who last Christmas had met round the same festive board were before next Christmas to meet in battle.

Yet this civil war of Englishmen was, on the whole, carried on as Sir William Waller had prayed; and, if by no means without personal animosity, or without cruelty, at least without the savage cruelty which has marked the civil wars of some nations. It was waged, on

the whole, as a war of principle, the war of a self-controlled and manly race. Atrocities there were on both sides, most on that of the Cavaliers, whose leader, Rupert, had been trained in savage German war. Towns were sacked;
1645 Leicester, for instance, was cruelly sacked by the royalists. There was plundering, chiefly on the side of the Cavaliers, while the Roundhead armies subsisted more on regular exactions. There were cases of garrisons slaughtered when resistance had ceased. But England was not wasted as Germany was wasted by the armies of Mansfeld and Wallenstein. The laws of war were generally observed, and quarter was usually given. Only with the hapless Irish, alien in race and in religion, who had set the example of massacre, war was internecine. To them no quarter was given; even their female camp-followers were put to the sword. The women of Lyme, finding an Irishwoman left in the abandoned camp of the besiegers, set upon her and tore her to pieces. There appears to have been comparatively little interruption in the general course of life and of law. The war was entered upon, too, by the Commons at least, in the right spirit as a most mournful necessity, with public humiliation and prayer. The playhouses were closed by the ordinance of parliament, as in a time of national sorrow. These hypocrites, say royalists, knelt down to pray, and rose up again to shed innocent blood. Does not every religious soldier, when he goes into battle, do the same?

Those who give the signal for civil war are bound to have its object and the conditions of peace clearly in view. To put out with the ship of state on a raging sea without knowing for what port you are making would be the height of folly and of crime. What did Pym and

Hampden mean to do with the church and commonwealth when they had beaten the king? The church, of course, they meant to make Puritan, probably with an episcopate unmitred and reduced in power; for neither of them was in principle opposed, as were the Presbyterians and Independents, to that form of church government. As to the commonwealth, both of them were monarchists, though they wished to put the monarch under parliamentary control. Yet they could never have set Charles again upon his throne. That no faith could be placed in his pledges and concessions, however solemn, was their motive and justification for drawing the sword. Probably they would have done what was done by their political heirs in 1688; they would have kept the monarchy, but changed the dynasty. Lewis, the young Elector Palatine, son of that protestant idol, the Electress Elizabeth, had appeared in England, and the eyes of the people had been turned to him. It seems not unlikely that, had the party of Pym and Hampden prevailed, he might have been called to the constitutional throne to which the patriots of 1688 called William of Orange.

Parliament levied war against the king in the king's name, pretending that it sought to secure him from the hands of bad advisers, Malignants, as they began to be called, and that its commands to fight against him were his commands transmitted through the two Houses as his constitutional mouthpieces. But this fiction did not prevent it from organizing itself as a revolutionary government, with an executive committee of which Pym was the chief; from raising an army; from supplying itself with money by the exercise of the taxing power; or, when the keeper of the great seal had carried it away to the king, 1644

1643 from making for itself a new great seal. It passed Acts, calling them Ordinances. The king in time called a par-
1644 liament of his own at Oxford, widening the gulf between him and Westminster. At Westminster the Commons were practically the parliament. The Lords had for some time been feeling the influences of their rank and wealth, and falling behind the Commons in revolutionary zeal. They had needed to be told that if they would not do their part in saving the nation, the Commons must save it by themselves. Secession soon reduced them to a handful, and they sank by degrees into an appendage of the Commons, preserved for the sake of the constitutional forms to which with English tenacity the revolutionists clung. London being the mainstay and the treasury of the cause, its council had a share of power, and by Cavalier scoffers the revolutionary government was called the Common Council, the Commons Council, and the Three Lords.

Ecclesiastical as well as political supremacy was grasped by the revolutionary assembly. Episcopacy was swept aside, and the bishops' lands, with those of the cathedral chapters, were presently thrown into the revolutionary
1643 treasury. To an assembly of one hundred and twenty-one divines, sitting at Westminster, parliament entrusted the arduous task of framing a national church, with its creed and form of worship, after the Puritan model. Of the divines, almost all, including the prolocutor, Dr. Twisse, were Presbyterians bent upon imposing on the nation that rule which they deemed of divine institution; but which, while it would have saved from priestcraft and thaumaturgy, would have laid on free thought and spiritual liberty a yoke hardly less heavy than was that of Laud and would have cast a still darker shadow than

was cast by Laud's despotism over social life. A few of the members, headed by Goodwin and Nye, and classed as Independents, were for the Congregational system and generally inclined towards that which these men called Christian liberty, and the Presbyterian abhorred as toleration. A few Episcopalians had at first been nominated for appearance' sake, but they at once dropped out. The Erastian principle of state control over the church was effectively represented by the learned Selden, with some other lawyers, to the great annoyance of the theocratic Presbyterians. All, Presbyterians and Congregationalists alike, were still for a national church, which they deemed the ordinance of God, though how to frame a national church on the Congregational plan was a problem which the Congregationalists found difficult to solve.

The economical and political map of England was widely different then from what it is now. The north and north midland were backward, aristocratic, and still half feudal. Only in a few little clothing-towns, such as Manchester, Leeds, Bradford, or in Birmingham already noted for its iron work, had the germs of the manufacturing industry, and with them of radicalism, begun to appear. Wales and the west of England were, like the north of England, economically backward and controlled by local magnates. Wales still retained, with the Celtic speech, something of her old nationality and her antagonism to England. The regions of commerce, manufactures and the political sentiments connected with them, were in the south and east, and here the parliament had power. London was the core and the mainstay of the Puritan cause, as well as the seat of the revolutionary government. It was Presbyterian, and a limit was put

to its revolutionary tendencies by its wealth. In the south and east, especially in the east, were the homes of a stout yeomanry, Independents in religion, and destined to supply the military sinews of the cause. A line drawn from Hull to Southampton would roughly divide the country of the parliament from that of the king. But Bristol, Gloucester, and Plymouth, though west of that line, were, as trading cities, for the Commons. Parties, however, were everywhere more or less mingled. London was the military as well as the political centre of the parliament. That of the king was Oxford, the advanced post of his loyal west and the base of his operations against London.

Of the social classes, the nobles were now for the most part on the side of the king, though a few still adhered to the Commons. The wealthy gentry also, though with not a few exceptions, were on the king's side. So were the Anglican clergy, especially those of the cathedral cities. So were the universities, Oxford more intensely than Cambridge, which was in some degree under the influence of the Puritan eastern counties. Though the division of parties did not strictly coincide with that of classes, the Cavaliers' was decidedly the patrician, the Roundheads' the plebeian cause. The royalist historian could complain after a battle that the losses were very unequal, because while on the side of the parliament some obscure officer was missing, or some citizen's wife bewailed the loss of her husband, on the king's side twenty persons of honour and quality had been slain. This became more marked as the war went on and the thoroughly plebeian Independents pushed themselves to the front on the parliamentary side.

The catholics, who largely belonged to old families in the north, were on the side of the king, not because they

loved him, but because they feared and hated his Puritan enemies, who were always thirsting for their blood. Their hearts also turned to his catholic queen. Connection with them did the king as much harm as their sympathy and aid did him good. Nor did he shrink from throwing them over when he thought it would serve his turn. Some aid he got from the catholics of Ireland, with whom he carried on irresolute intrigues. But he paid dearly for that aid in the fury of popular wrath which was aroused by any connection with rebel Irish and papists steeped in protestant blood.

Of assistance from abroad the king got little, though he tried in all quarters, in France, in Spain, in Holland, in Denmark, and was ready even to bring on England the mercenary bands of the Duke of Lorraine. A harvest of national odium was what he chiefly reaped by these attempts. The aim of Mazarin, the crafty Italian who now ruled the councils of France, was to weaken England by division. Catholic monarchs at last looked on with folded hands at the catastrophe of a heretic throne. By the house of Orange, allied by marriage, sympathy was shown and aid was lent, thanks largely to the exertions of Henrietta, a brave and energetic woman, who, while she brought folly and violence to the king's councils, infused spirit into his war.

Heavy cavalry was once more the principal arm, and this at first gave an advantage to the royalist gentry, who were horsemen. The infantry was composed partly of pikemen, partly of musketeers with matchlocks, the two forces being awkwardly combined. Besides the regular, or, as Clarendon calls them, commanded, foot, irregular and half-armed levies were brought into the field.

Artillery, both siege and field, was weak till it was improved by Cromwell. Thus the castellated mansions of the great nobles served as fortresses. Basing House, the palace of the Marquis of Winchester, in Hampshire, stood three sieges before it was taken by Cromwell. The nobles and gentry had been used to command and their tenants had been used to obey. This gave the royal army the advantage of a natural organization till reverses had taught the soldiers of the parliament the necessity of discipline. The southern aristocracy of Planters had at first the same advantage over the northern democracy in the American civil war. The king had a first-rate leader of cavalry, as far as dash and enterprise were concerned, in his young and fiery nephew, Prince Rupert. The parliamentary commander-in-chief, Essex, son of queen Elizabeth's hapless favourite, and divorced husband of her who was afterwards Lady Somerset, had been chosen rather for his rank and popularity among the soldiery than for military genius, though he was a good soldier, and amid all temptations and annoyances remained thoroughly loyal to his cause. The fleet was on the side of the parliament; the traditions of the navy since its battles with Spain would be protestant. Parliament thus commanding the sea could debar the king from foreign aid.

Of money the king was always in want. He had to depend on gifts and loans from his partisans, college plate, and other casual subventions. The parliament could draw from the long purse of London and, commanding the wealthy districts, it was able to levy regular taxes, to which the financial genius of Pym, who had been bred in the exchequer, added an excise upon all articles of

consumption. Recourse was had, however, almost from the first, to a worse source of revenue, the sequestration of the estates of those who were styled Delinquents. Lack of pay compelled the king's troops to subsist by plunder, to which Rupert, trained in German wars, was of himself prone; they thus set the people against them and impaired their own discipline at the same time.

Among the Cavaliers were gentlemen, not less religious than honourable, and as virtuous as any Puritan. Grenville had prayers said at the head of all his regiments before battle. But as a rule the Cavaliers were the party of loose morality, free living, and profane language. Their friends deplored the license, riot, and blasphemy of their camps. They affected the extreme opposed to Puritanism, and there was a hypocrisy on the devil's side as well as on that of God. Among the Roundheads, while there was much canting pharisaism, there was also a stricter morality; the morality of the best corps was extremely strict; and this told both in the field and with the people.

While the war of the sword went on the war of the pen did not cease. Pamphleteering was active on both sides. Now political journalism, combining news with editorial comment, has its birth. On each side there is a *Mercury* giving its one-sided intelligence with its party judgments. Out of the throes of revolution a new power has been born.

With the details of war political history does not deal. The king sent forth his Commissions of Array, the parliament voted his commissioners traitors, and raised an army for the defence of the king and parliament. The closing of the gates of Hull against the king by the

1642 Hothams was the first blow. Charles set up his standard at Nottingham, and the wind by blowing it down gave an omen of his fate. A large resort to his camp showed at once the reaction produced by the revolutionary proceedings of the parliament. Moving southwards from
1642 Shrewsbury, he encountered at Edgehill the army of the parliament under Essex, better equipped and, as its employers thought, sure of an easy victory. Instead of an easy victory, there was a drawn battle, which would have been a victory for the king had not the fiery Rupert, after breaking the parliamentary horse, galloped off in pursuit and left the enemy to recover the field. Edgehill was a confused hustle of untrained masses under inexperienced commanders. But the gentry who fought for Charles showed their superiority to the hired troopers of the parliament. Cromwell, who commanded a troop of parliamentary light horse, saw that the moral force was with the king, and that, to beat loyalty, enthusiasm must be enlisted by the parliament. "Your troops," he said to his cousin Hampden, "are most of them old decayed serving men and tapsters, and such kind of fellows, and their troops are gentlemen's sons and persons of quality. Do you think that the spirits of such base and mean fellows will ever be able to encounter gentlemen that have honour and courage and resolution in them? . . . You must get men of a spirit, and take it not ill what I say — I know you will not — of a spirit that is likely to go on as far as gentlemen will go, or else you will be beaten still." In those words lay the secret of ultimate success.

1642 Charles advanced to London and was not far from ending the war at a blow. Milton's sonnet pleading for the

Muses' bower against the violence of the captor is the sweet memorial of the city's alarm. Londoners, however, were more warlike then than they are now, and the trained bands under Skippon behaved well. The parliamentary general, Sir William Waller, had a run of success which earned him the title of William the Conqueror; but fortune presently turned against him and his army was destroyed. Bristol fell, weakly surrendered, as 1643
a court-martial found, by its intellectually brilliant governor, Nathaniel Fiennes. In the north the Fairfaxes, father and son, after some gallant exploits, performed in conjunction with the radical populations of the little clothing-towns, were overthrown at Adwalton Moor. Hampden, the second chief, and perhaps the moral pillar of the parliamentary cause, went from a skirmish at Chalgrove Field, clinging to his horse's neck, with a wound of which in a few days he died. Pym, the 1643
political pillar of the cause, sank beneath his load of toil and care, and was interred in Westminster Abbey with heraldic pomp which showed that so far at least this was a gentleman's revolution. Before he died he had to combat a peace movement, to face peace mobs crying that he was a traitor and threatening to tear him to pieces, to deal with a conspiracy, in which the poet Waller was concerned and narrowly escaped with his head, for the betrayal of London to the king. His last service was a visit to the camp of Essex to assure himself of the loyalty of the commander. There were flights of peers from London to Oxford, and had not the queen's temper repelled them, there would have been more.

For the first two years and a half fortune mocked the sanguine hopes of the parliament. The turning-point is

commonly taken to have been the siege of Gloucester,
1643 formed by Charles and raised by Essex, who marched
from London with an army largely composed of the city
1643 trained bands. In the battle of Newbury, fought by
Essex on his retreat, the trained bands showed that the citizen was still a soldier. Here fell Falkland, throwing away his life, as it seems, when he saw that the hope of peace was gone. It is in the siege of Gloucester that we get a glimpse, through Clarendon, of the middle class Puritan who furnished a subject for "Hudibras." The king having sent a trumpet with a summons, "within less than the time prescribed, together with the trumpeter, returned two citizens from the town, with lean, pale, sharp, and bald visages, indeed faces so strange and unusual, and in such a garb and posture, that at once made the most severe countenance merry, and the most cheerful hearts sad; for it was impossible such ambassadors could bring less than a defiance. The men, without any circumstances of duty or good manners, in a pert, shrill, undismayed accent, said they had brought an answer from the godly city of Gloucester to the king; and were so ready to give insolent and seditious answers to any question, as if their business were chiefly to provoke the king to violate his own safe conduct." The answer of the godly city was, "We, the inhabitants, magistrates, officers, and soldiers, within this garrison of Gloucester, unto his Majesty's gracious message return this humble answer; That we do keep this city, according to our oaths and allegiance, to and for the use of his Majesty and his royal posterity; and do accordingly conceive ourselves wholly bound to obey the commands of his Majesty, signified by both Houses of parliament: and are resolved, by God's

help, to keep this city accordingly." To the constitutional figment embodied in this answer the Roundheads adhered with a truly English tenacity of forms.

Necessity had by this time compelled the leaders of the parliament to stretch out their hands for aid to the Presbyterians of Scotland. Dire the necessity must have been if it could constrain Liberals like Vane and Marten to accept not only the alliance but the yoke of an austere and narrow theocracy which maintained that Presbyterianism was divine; which held the dark creed of Calvin; which, through its church courts, exercised a searching inquisition into private life; which enforced the Mosaic Sabbath; which within a few months put thirty witches to death in one county. Only to the Presbyterian party in parliament union with the Kirk would be welcome. As the conditions of their assistance the Scotch required that England, besides paying them well, should enter into a Solemn League and Covenant for the religious union of the two kingdoms; in other words, for the establishment of Presbyterianism in both of them. Parliamentary England did take the Solemn League and Covenant, though for the most part with a wry face, and 1643
not without furtive exceptions. Acceptance became the regular test of the party. A Scotch delegation was admitted to the Assembly of Divines. The Assembly framed an ecclesiastical polity on the Presbyterian model 1647
which was approved by parliament and was set on foot in London, Lancashire, and, less perfectly, in some other districts. London saw a provincial Presbyterian synod. With the polity was combined a Presbyterian confes- 1647–
sion of faith which is still the doctrinal standard of the 1648
Scottish church, embodying the extreme principles of

Calvin, and declaring that "by the decree of God for the manifestation of his glory some men and angels are predestinated unto everlasting life, and others fore-ordained to everlasting death." But the generally slack and imperfect adoption of the system in England showed that there was little enthusiasm for it among the people. In England there had been no John Knox. The English parliament, though it might be Presbyterian, was not theocratic and had no intention of placing itself and the kingdom under ecclesiastical domination. It remained true to lay supremacy, the characteristic of the English Reformation of which Selden and his circle were the resolute upholders. While it accepted the Presbyterian constitution and the profession of faith framed by the Westminster Assembly, it firmly insisted upon keeping for itself the supreme jurisdiction and the power of the keys, which was to be exercised by a parliamentary commission. It sharply questioned the claim of the Presbyterian organization to be divine, and read the Assembly a severe lesson on that subject. High-flying theocrats, especially those of the Scotch delegation, deplored such Erastianism, but in vain.

Nor could the Scotch and English Presbyterians by their combined force succeed to anything like the full extent of their fanatical wishes in excluding toleration, a monster in their eyes hardly less hateful than in those of an Inquisitor, though neither they nor any other protestant sect ever, like the Inquisition, carried the rack into the recesses of conscience. Heresy, unchained by civil discord, was presenting itself to their alarmed and horrified eyes, not only in the decorous and respectable forms of the Congregational Independents, such as Goodwin and

Nye, or in the comparatively decorous and respectable forms of Cromwell and his religious circle, but in those of Anabaptists, Anti-Trinitarians, Antinomians, Anti-Scripturists, Anti-Sabbatarians, Millenarians, Soul-Sleepers or Mortalists, Seekers, Familists, Fifth-Monarchy Men, Libertines, Muggletonians, Ranters, and all the wild sects bred by disordered fancy and ignorant interpretation of inspired scriptures in a time of feverish excitement. Antinomianism was accused, and very likely in the case of some maniacs with justice, of sanctifying license and even crime, as Munzer and John of Leyden had done in their day. Society as well as the church seemed to be threatened by an anarchy not only spiritual but moral. Among the moral anarchists was numbered John Milton, who, amid the din of political controversy and the clash of civil arms, was passionately pleading, as an unhappy husband, for liberty, not to say license, of divorce. Parliament at last under Presbyterian domination passed an ordinance for the punishment of heresy and blasphemy, and in the case of capital heresies, such as the denial of the Trinity or the Incarnation, with death.

A joint committee of both kingdoms was formed as an executive. In it a historian sees a foreshadowing at once of a union of England with Scotland, and of the cabinet system of government.

This was the hour of Presbyterian ascendancy in the parliament. Presently Laud, who, since his impeachment, had been in his prison, and through its bars had blessed Strafford on the way to execution, was brought to the block under a thin pretence of high treason, really as 1645
a popish innovator and an enemy of the Kirk. The old man was harmless, and his execution was one of the most

savage, and, as a perversion of the treason law, one of the most noxious, among the acts of the revolution. It made him a party saint; and in our day he has been well-nigh canonized by ritualists, in whom he and his school live again, and who go nearer than he went to Rome, far outrunning the ceremonialism by which he gave offence in his consecration of the church of St. Catherine Cree. Persecution of catholic priests and witch-burning also marked and disgraced the Presbyterian's reign.

1643 In the darkest hour of the parliamentary cause the light of hope had continued to shine in the Associated Eastern Counties. There the Puritan yeomanry was strong. There, under the Earl of Manchester, commanded Oliver Cromwell, who, taking up the soldier's trade at the age of forty-two, had made himself a first-rate leader of cavalry, and had shown his insight into the situation and his appreciation of moral force by forming among the yeomen of his district a corps in which strict discipline was united with fiery enthusiasm, and which presently earned for itself the name of the Ironsides. The Scotch army, under
1644 Lord Leven and David Leslie, had entered England. Forming a junction with it, the parliamentary forces of the north under the Fairfaxes, and those of the Eastern Counties' Association under Manchester and Cromwell,
1644 laid siege to York. The city was held by the Marquis of Newcastle, a characteristic figure of the age, at once a lord of the still half-feudal north with a great body of retainers, and an elegant grandee of the Renaissance. To save York Rupert rushed from the south. He raised the
1644 siege, but, not content with that exploit, resolved, against the advice of the marquis, to fight a pitched battle. On
1644 the edge of Marston Moor, near York, the two armies,

with a few yards of ground and a ditch between them, faced each other through a midsummer afternoon. In the evening, when the marquis had retired to his carriage, over-tension or accident brought on a battle, which came, not as it comes now, with long-range firing and advance of skirmishers, but with sword-stroke, with push of pike, and with the shock of masses of mailed cavalry hurled against each other. Rupert's fiery charge broke the Roundheads in his front, but his headlong pursuit of them left the field to be won by Cromwell, who, having also broken the troops in his front, kept his well-disciplined men in hand and turned the day. The result was a complete and bloody victory for parliament, with the loss of the north for the king. The regiment of Newcastle's retainers, called the Whitecoats, showed their northern valour and their feudal fidelity by falling every man in his rank.

Marston was an Independents' victory, and Cromwell, the leader of the Independents, did not fail to dwell upon that fact. "It had all the evidences," he said, "of an absolute victory obtained by the Lord's blessing upon the godly party principally." Of the Scotch, while some had done much more than Cromwell chose to admit, some had shared the partial rout of the left wing. Their general had been swept off the field in the press, and royalists delighted to say that he had been taken up by a village constable.

Now came the inevitable division between the Presbyterians, who wanted the exclusive establishment of their rigid system of church government without toleration of any other sect, and the Independents, of whom the more moderate, such as Goodwin and Nye, wanted Congrega-

tional liberty bounded by sobriety of doctrine, while the more thorough-going wanted non-conformity and enthusiasm without bounds. The division between Presbyterians and Independents coincided in the main with that between the patrician and plebeian sections of the parliamentary party. Cromwell had no hatred of gentlemen; he said that he honoured a gentleman who was so indeed; he called himself a gentleman in speaking of his birth. But he wanted good soldiers, and the low-born man as well as the sectary who could fight was welcomed to the ranks of his Ironsides. To him a good officer was a good officer, though he might once, as sneering aristocrats said, have filled a dung-cart.

Congregationalism stopped short of liberty of conscience. The few minds into which that principle fully found its way were generally prepared for it by the experience of persecution. Roger Williams had preached it and won recognition for it in Rhode Island, but to England he preached in vain. Of the churches the Baptist deserves the credit of being its first sanctuary. The English Baptists in Amsterdam had said in their confession of faith, "The magistrate is not to meddle with religion or matters of conscience, nor compel men to this or that form of religion, because Christ is the king and law-giver of the church and conscience." Cromwell might not refuse to part with a good soldier who was denounced to him as an Anabaptist, but, while his heart was large, and he flouted religious squeamishness when it crossed a practical need, it is not likely that he had distinctly embraced the principle of liberty of conscience. Nearer to embracing it was Milton, in whose broad and exalted allegiance to freedom of opinion, bounded, it appears, only by the public morality

which must bound all freedom, it may perhaps be said that the principle was virtually born. Roman catholicism was still regarded by the whole protestant body not only as idolatry, but as potential treason, which might become actual treason at the bidding of the pope. Anglicanism had fatally identified itself with the party of arbitrary government. For the people of the Mass or of the Book of Common Prayer there was among the parliamentarians of whatever shade no toleration.

While the Independent chief had triumphed in the 1644
north, Essex, the Presbyterian chief, had met with disaster in the west. Lured by false hopes of a sympathy which he was not likely to find among a population of primitive character and swayed by the royalist gentry, he had entangled himself among the hills of Cornwall. There he had been surrounded and lost the whole of his infantry. Charles's letter of thanks to the Cornishmen may still be read upon church walls. The Presbyterian parliament received its defeated general with Roman magnanimity, but Presbyterian ascendancy received a sore blow in the capitulation of Lostwithiel as well as in the victory of 1644
Marston.

The Presbyterians saw their danger and opened negoti- 1645
ations with the king, whose commissioners met theirs at Uxbridge. The Scotch, strong monarchists as well as strong Presbyterians, chiefly impelled the movement. Establishment of Presbyterianism and temporary resignation of the militia, that is, the power of the sword, were the terms offered to Charles. To these he would not assent. To the resignation of the power of the sword his queen, who swayed his counsels from Paris, would by no means agree, and the treaty, after much futile discus-

sion, failed. The king was encouraged in resistance by
1644 the meteoric victories of Montrose, who, having passed from the Covenanting to the royalist side, was, with an army composed of wild Highlanders and Irish, together with a handful of Scotch gentlemen, overthrowing army
1644–1645 after army of the Covenant and its Presbyterian chief, Argyle. By his rejection of Presbyterianism Charles once more welded the Scotch, who had before been inclined towards him, to the parliament. The overtures of parliament were always loaded with the exclusion from pardon of a number of the king's friends, to which Charles honourably refused his consent.

Alarmed by the rising star of Cromwell and the growing force of the sectaries, the Presbyterian and aristocratic party in the two Houses scarcely desired to conquer. This
1644 had become apparent when at the second battle of Newbury the Presbyterian and aristocratic commander Manchester failed to press his advantage and allowed the king's army to retire unmolested and afterwards to return and carry off its cannon. High words had then passed between Manchester and Cromwell, Cromwell being resolved to conquer, as he saw that there was no other way to peace. The thorough-going party now determined to get rid of lukewarm leadership. This they effected by carrying
1645 through parliament a Self-Denying Ordinance, under purist pretences, requiring all the members of either House of parliament within forty days to lay down their offices or commands. The Ordinance did not forbid re-appointment, and Cromwell, indispensable to victory, was thus retained. At the same time and with the same view to deci-
1645 sive action the army was remodelled. Instead of the local levies, such as that of the Eastern Counties' Association,

which were with difficulty brought to act outside their own districts, it was resolved to form a more regular and national army. This was the New Model. It was freely recruited from all sources and partly by impressment. But its commanders and the core of it were Independent, and their spirit diffused itself through the mass. At its head was placed Fairfax, the parliamentary chief in the north. The new general was owner of a great estate and heir to a peerage, a disinterested patriot, a man of literary tastes and a writer of verses as well as a soldier, a kinsman of the translator of Tasso, and one of the inheritors of the protestant chivalry of which Spenser was the poet. His first act, when he afterwards occupied Oxford, was to place a guard over the library of the University.

The king's army, after storming and ruthlessly sacking Leicester, met the New Model at Naseby, and was totally 1645
overthrown, Rupert, as usual, after a victorious charge, going headlong off the field and leaving the day to Cromwell. Again Cromwell emphasized the share of the Independents in the great victory. "Honest men," he wrote to Lenthall, "served you faithfully in this action. Sir, they are trusty; I beseech you, in the name of God, not to discourage them. . . . He that ventures his life for the liberty of his country, I wish to trust God for the liberty of his conscience, and you for the liberty he fights for." This paragraph was omitted by the Presbyterian and moderatist parliament in sending Cromwell's letter to the press.

Naseby was decisive. Its moral effect on the king's cause was enhanced by the capture of his papers, a selection of which the parliament published under the title of "The King's Cabinet Opened." Most of the letters were drafts

or copies of those written by Charles to his wife. The nation saw that Charles, while negotiating with the Houses at Westminster, had never regarded them as a lawful parliament; that he had intrigued for the landing in England of an Irish army and of the savage mercenaries of the Duke of Lorraine; that he had been prepared to purchase catholic aid by abolishing the laws against English catholics; worst of all, that no reliance could be placed upon his word. "The Key of the King's Cabinet," wrote a London pamphleteer, "as it hath unlocked the mystery of former treaties, so I hope it will lock up our minds from thoughts of future." It may be surmised that the king in writing to the queen, who was bent upon the recovery of arbitrary power, might say something for the purpose of pacifying her mind; but for this the readers of "The King's Cabinet Opened" were not likely to make allowance. Soon after Naseby Montrose's marvellous career of victories was closed
1645 by his total defeat at Philiphaugh, and the last hope of Charles was gone.

Fairfax and Cromwell had still much work to do in extinguishing the embers of the war, particularly in Wales and the western counties. In Monmouthshire the catholic Marquis of Worcester, king of those parts, whose princely revenues had at first furnished Charles with money to take the field, made the last stand for him in his palace castle of Raglan. Bristol was surrendered by
1645 Rupert, who thus covered the disgrace of Fiennes. Ox-
1646 ford itself, the citadel of royalism, fell. The king's Great Seal was broken. The records of his anti-parliament had
1646 been burnt. When in the west the stout old royalist, Sir Jacob Astley, surrendered with the king's last remaining force, he said to his captors, "My masters, you have

now done your work, and you may go play; unless you will fall out among yourselves." Fall out among themselves they did, as revolutionists generally have done, when the work of destruction was complete and that of reconstruction took its place.

After some aimless and hopeless wanderings the king rode northward and put himself into the hands of the 1646
Scotch, whose armies still lingered on the south of the border, waiting for arrears of pay. At Newcastle nineteen propositions were submitted to him by commissioners from 1646
the parliament, and were pressed on his acceptance by the Scotch. The chief propositions were the abolition of episcopacy, the acceptance of the Covenant, the establishment of Presbyterianism, and the surrender of the militia to parliament for twenty years. Could the king have brought himself to consent to the religious articles he would at once, as a Covenanting king, have had the Scotch upon his side. But in his attachment to the church of England Charles was immovable on political as well as on religious grounds. He told his wife, ever ready as a catholic to sacrifice a heretic church if she could keep the sword, that religion would sooner recover the sword than the sword would religion. He rated high the political influence, while he might well confide in the absolutism, of the Anglican clergy. In debates with Henderson, the Scotch prophet who was sent to convert him, he firmly and ably defended his Anglican faith. The Scotch now gave him up 1647
to the English parliament. They are accused of having sold him. This they certainly did not, though, as to the precise moment of the surrender, they may not have been without an eye to the arrears of their pay, which they received at the same time. Charles's Anglicanism was,

perhaps, almost as much political as religious; but to it he may fairly be called a martyr.

The war over, the nation craved for a peaceful settlement. All were weary of carnage, havoc, confiscation, excise, assessments for the pay of the army, financial confusion, depreciation of property, reduction of rents, and depression of trade. Most grievous was the war to the labouring poor, who felt its evils and bore its burdens without caring much for either party, and at last had turned out with clubs in their hands to protect their cottages, corn-bins, and poultry-yards against both. Among the chief sufferers by the civil fury were the royalist and episcopal clergy, of whom a large number, according to their martyrologists two thousand, had been ejected from their livings, a fifth only of their income being paid by way of indemnity to their wives and children. They had identified themselves with political usurpation, and were deprived on political as well as religious grounds. Charles himself half justified the ejection in saying that the church would give him back the sword. It was also alleged that Puritan clergymen had been plundered of their livings under Laud and that compensation was due them from the spoilers. But it has been truly said that this proscription extinguished whatever hope there was of reconciliation between the Anglicans and the other sections of the religious community.

There is reason to believe that, as usual, with revolutionary ascendancy and sequestration had come corruption, that suitors to the parliament could do nothing without a bribe, and that saints and patriots were making scandalous gains. The Speaker, Lenthall, among others, was accused of growing rich at the public cost. Large gifts of money

or estates had been voted to powerful men for their services to the commonwealth, among others to Cromwell, who, however, laid a great part of the gift on the altar of his country. Of corruption as well as of bloodshed the people were sick.

How was the peaceful settlement to be made? Sir Jacob Astley's prognostication was speedily fulfilled. On the morrow of victory began the irrepressible conflict between the two sections of the victorious party, the Presbyterians and the Independents; the Presbyterians still aiming at a monarchy under the control of parliament with a Presbyterian church establishment and no toleration; the Independents still aiming at Congregational freedom, and the more thorough-going of them at religious freedom unlimited for all protestants. Of republicans there were as yet but few. The foremost were Henry Marten and Lilburne. Marten was a libertine of the political as well as of the moral sphere, who, when a question arose about the provision of a chaplain for the king, could say that he would like to provide the king at once with two chaplains to prepare him for heaven. Lilburne was a born agitator with the qualifications as well as the propensities of his tribe, the enemy of each established authority in turn, aiming, if he could be said to have any aim, at direct government by the people, which would have been practically no government at all, of a courage proved in the field, a ready writer with a popular style, and never to be put down. His devotion, disinterested unless vanity is interest, to popular right, earned him the invaluable nickname of "Honest John." He and his disciples were well named Levellers, for, had their schemes taken effect, nothing above the dead level of a vast popu-

lace would have remained. Wildman and Rainsborough were also leaders of the extreme party.

Vacancies in the House of Commons had been filled up to the number of about a hundred and fifty by the election of new members called Recruiters. The Recruiters included some new men of mark, such as Ireton, Cromwell's son-in-law, a man of legal culture, a political philosopher, and at the same time a man of action; Fleetwood, a deeply religious soldier; Ludlow and Algernon Sidney, "commonwealth's men" or republicans, like Marten, of the Roman mould. Notwithstanding these accessions the Presbyterians still had the majority. Outside the House they had with them London, the commercial wealth and respectability of which shrank from sectarian violence, and the Scotch, whose commissioners remained to lend moral support to their friends, though their army had been withdrawn. Moderation, fear of revolutionary violence, hatred of military rule made for them in the country at large. Their leaders, Holles, Stapleton, Maynard, and Glyn, were politicians or men of the gown, and of comparatively little mark, manifestly wanting in statesmanship though they seem not to have been wanting in courage.

The Independent party was in the minority in both Houses of parliament, though it generally received the support of Selden and the other lawyers who were opposed to the Presbyterians from their hatred of ecclesiastical domination. It had its stronghold in the Army, and its leaders, religious and political, in Cromwell and Ireton. Fairfax, the commander-in-chief and the victor of Naseby, was simply a soldier of the cause, disinterested, single-minded, bent on performing his military duty to the commonwealth, comparatively little of a politician and some-

what under the influence of a royalist wife. The army might truly say of itself, as it did, that it was not an army of mercenaries, like those which have supported military usurpations. It was a body of English citizens, and not the least worthy of English citizens, in arms for a national cause. It had saved that cause, and it had a right to a voice in the settlement. Cromwell, who was the soul of it, was not, like Bonaparte, a child of the camp; he was a religious patriot, who, when he was past middle age, had drawn his sword in the service of conscience. He professed, and with apparent sincerity, his desire of keeping the army in subordination to the civil government. Mutiny he quelled with decisive firmness, heedless of risk to his popularity as well as to his person. Power and preeminence had come to him, but there is no reason to think that he had as yet formed any design of revolutionary ambition. There is even reason to believe that he thought of transferring himself and his veterans to the field of religious war in Germany. His ecclesiastical ideal was protestant comprehension. His political ideal may be said to have been parliamentary monarchy with fair representation and law reform. It was towards this that he worked when supreme power at last came into his hands. It may be true that he did not exercise much forecast but was guided by circumstance, which he called the finger of God, and was content with understanding and controlling the actual situation.

Neither of the great parties as yet thought a settlement possible without the king. The nation at heart was still monarchical. The road of Charles from Newcastle, where the Scotch surrendered him, to Holmby in Northamptonshire, where the parliament fixed his residence, was 1647

thronged by crowds of people, some of whom came to be touched by him for the king's evil; and the church bells were rung in his honour. He was approached by the leaders of both parties, and a long and tangled series of negotiations ensued. The questions, as before, were the settlement of the church and the command of the military force, to which, as usual, was added the treatment of Delinquents, or men who had been in arms for the king against the parliament, a point on which the king was creditably tenacious, remembering Strafford. The lands of the bishops and cathedral chapters, which parliament was confiscating, formed a fourth matter of dispute. The Presbyterians were most inflexible on the church question; the Independents, less tenacious on the church question, were more exacting in their political demands.

Feeling his hold on national sentiment, and seeing that both parties needed him, Charles thought to play them off against each other and in the end set his foot upon both. Had the men with whom he was dealing been weak, his game might have been successful. As he had to deal with Cromwell and Ireton it proved his ruin. Through the net of intrigue and deceit which he wove they burst at last by taking his life. A solution of the problem was not easy, since it was certain that Charles, replaced on his throne, would not, like a puppet king of our day, acquiesce in gilded impotence and lip worship, but would seek to regain real power, while parliament, meeting only at his summons, and liable to dissolution at his pleasure, would have no valid security against his attempt. He had, moreover, shown that he held it lawful for the purpose of saving the church and throne to practise deception, and that he deemed himself not bound by concessions made under

compulsion. The provisional establishment of Presbyterianism and the temporary transfer of the militia to the parliament, to which, when hard pressed, he at last intimated his willingness to consent, would have been of little value, since he would certainly have employed the time in machinations for the reversal of both concessions. Now, as afterwards in 1688, the most hopeful course apparently was the dethronement of Charles in favour of one of his sons, or, what would have been better, in favour of his nephew, the Elector Palatine, whose weakness would in reality have been a qualification for the place. This idea was in fact entertained; but the Prince of Wales would not take his father's crown; the second son, the Duke of York, was spirited away, and the third, Gloucester, was a child. The idea of what is now called constitutional monarchy, a royal figure-head, with advisers who really govern designated by parliament, could enter nobody's mind distinctly at that time. To show the tenacity of old ideas, peerages for parliamentary chiefs were subjects of speculation.

The parliament, in which the majority was still Presbyterian, wanted to disband the army. The army was resolved not to be disbanded, and had a good ground for resistance in the shape of heavy arrears of pay, which the parliament, with its finances in disorder notwithstanding its sequestration of Delinquents and confiscation of the lands of bishops and chapters, was unable to discharge. But the controversy presently extended beyond arrears of pay or any grievance of a merely military kind. The army became a political organization, with representative agents entitled Adjutators, and put forth political manifestoes and demands. The leaven of the political Levellers, whose prophet was John Lilburne, worked in the soldiers' quar-

ters. With it worked the leaven of religious enthusiasts and visionaries such as the Fifth Monarchy Men, of whom the New Model general, Harrison, a man of humble origin, but high standing as a soldier, was the chief, and who called for the immediate establishment of the kingdom of Christ on earth, but did not propose to inaugurate it by complying with the injunction to Peter and putting up the sword into the sheath. The revolution, at the outset and through the greater part of its course, had been a movement of the upper and middle class under leadership largely aristocratic; now the abyss of democracy began to yawn. As the parliament had sought to bring the king under its control, these revolutionists of the New Model army sought to bring the parliament under the control of the people, whose sovereignty they proclaimed aloud. They demanded manhood suffrage, biennial parliaments, and dissolution of parliament only with its own consent. They demanded fundamental laws for the preservation of popular right which the parliament should have no power to repeal. They called angrily on the existing House of Commons to bring its own tenure to a close. Questions and problems of our own time put in an appearance before their hour. Manhood suffrage was discussed; it was vindicated on the ground of right; it was combated on the ground of policy, which required that the voters should have a stake in the country, and for the reason that poverty would be open to corruption. Ireton, the philosophic soldier, was the chief thinker; Lilburne the chief agitator. Ireton's Heads of Proposals and Lilburne's Agreement of the People, each of them embodying a democratic scheme of government, were the chief manifestoes. From sovereignty of the parliament it was coming to sovereignty of the people. Sover-

eignty of the people direct was the aim of the impetuous Lilburne, while the philosophic Ireton was for a more tempered constitution. Ireton's scheme for an ecclesiastical polity did not abolish episcopacy, which to Independents appeared a less evil than Presbyterian rigour, but it took away from the bishops the power of coercion or of calling in the civil magistrate to enforce their censures, while it abrogated all laws binding to attendance at church, and all restrictions on religious meetings or free preaching. Thorough-going reformers did not fail to call for the abolition of the House of Lords. Cromwell's influence in the conferences held among the politicians of the New Model was conservative. He wanted to rebuild on the old foundations, though with securities for liberty, above all for religious liberty, and to keep in touch with the spirit and traditions of the nation. Manhood suffrage he deprecated as tending to anarchy, and generally he let it be seen that he hoped little from sweeping change. With his monarchical tendencies he seems never to have parted, though he was constrained for a time to break with monarchy. At a conference held somewhat later between the leaders of the House and those of the army he disgusted Ludlow and other republicans by keeping himself "in the clouds" and refusing to declare for a monarchy, aristocracy, or democracy, maintaining that any one of them might be good in itself or for the particular country, according as Providence should direct. He was convinced, he subsequently said, that a republic was desirable, but not convinced that it was feasible. All the schemes of the republicans or extreme politicians of any kind for the government of the nation by a parliament freely elected were practically suicidal, since a parliament

freely elected would certainly have been adverse to their cause and would have restored the king.

To keep touch with the army, to retain influence over it, so as to be able to speak to parliament and the king in its name and with assurance of its support, without sharing the revolutionary violence or the chimeras of its wilder spirits, was the arduous task of Cromwell and the other Independent leaders. Mutiny in such an army would be more terrible than battle itself. Yet Cromwell, when in the sequel he was called upon to face it, showed not less resolution and decision than sympathy with his comrades in arms and reluctance to shed their blood. He dashed, sword in hand, into the mutinous ranks, arrested the ringleaders, and by court-martial sentenced to death three of them. The three were allowed to cast lots for life, and one only died.

1647 The first blow openly struck by the army chiefs at the parliament was the abduction of the king, who was carried off from Holmby House by Cornet Joyce of Fairfax's Life Guards, and when he asked for the commission, was bidden by the Cornet to "behold the troop," which he playfully pronounced a good warrant and fairly writ. Charles was not sorry to get out of the hands of the narrow and sour-visaged Presbyterians, who melted down his chapel plate for a dinner service, and denied him a household and an Anglican chaplain, into those of the Independents, who were inclined to treat him with more indulgence, partly perhaps because, being of lower rank, they felt his majesty more. The Independents allowed him to be visited by his children, and Cromwell, who saw the re-union, being himself a very loving husband and father, was moved to tears of sympathy by the sight. It is a doubtful compli-

ment to Cromwell's foresight or sagacity to say that if Charles would have trusted him and accepted his terms he would certainly have replaced him on the throne. The respect shown Charles by the Independents, and the manifest widening of the breach between them and the Presbyterians, confirmed the king in the belief that he had only to be patient and keep up the game of intrigue with both parties and with the Scotch, to a large section of whom he had also reason to look for aid, in order to bring about his unconditional reinstatement.

A dead-lift effort of the parliament to disband the army 1647
was met by the solemn engagement of the army not to be disbanded. The parliament, in desperate mood, ordered London to be fortified and forbade the approach of the army within forty miles. In defiance of the injunction the army advanced to Uxbridge. There it denounced eleven 1647
of the leading Presbyterian members of the House of Commons, including Stapleton, Holles, Glyn, and Maynard, and demanded their impeachment. Parliament gave way, voted the eleven members leave of absence, demolished the fortifications of London, and appointed commis- 1647
sioners to treat with the army. The treaty failed; the quarrel broke out again. The members of the Independent minority in the two Houses seceded and presented themselves in the camp. The army then entered London and marched through the main streets to display its overwhelming power. It kept its discipline, however, strictly, and was guilty of no outrage. But parliament had succumbed to military force, though we have always to remember that the military force in this case was a body, not of prætorians or janissaries, but of men who had fought for a public cause.

1647 The king is now placed at Hampton Court. There the parleyings with him, both on the part of the Presbyterians with the Scotch commissioners their allies, and on that of the Independent leaders, still go on, neither section seeing its way to a settlement without him, while he dallies with them both and plays his waiting game. He is meantime corresponding with the queen in Paris, who continues to cherish hopes of foreign intervention in his favour, and imperiously dissuades him from concession. Thorough-going men in the army, on the other hand, such as Harrison and Rainsborough, regard these parleyings with the king as treason to God and the cause. Cromwell loses the confidence of his party, and his life is supposed to be threatened by the Levellers. He is at last undeceived as to the king's game. According to an anecdote, which seems pretty well attested, he was informed that a messenger bearing, unknown to himself, a letter from Charles to Henrietta sewn up in his saddle, would at a certain hour be at the Blue Boar Inn in Holborn.
1647 He, with Ireton, both of them being disguised as troopers, waylaid the messenger, ripped open his saddle, found the letter, and read the proofs of the king's duplicity.

Hints, from what quarter is uncertain, were conveyed to the king of danger to his life. He fled with his attendants, Ashburnham and Berkeley, from Hampton Court and put himself into the hands of Colonel Hammond, the
1647 Governor of Carisbrooke Castle, in the Isle of Wight, who, though an Independent and a connection of Cromwell, was understood to have taken his governorship that he might avoid sharing the extreme counsels of his party. Hammond at first wavered between his military duty and his loyalty to the king. His "trials" and "temptations"

in this wise drew anxious and unctuous letters from Cromwell, but he at last preferred his military duty, and held Charles as a prisoner for the parliament.

In parliament, notwithstanding military coercion and the expulsion of the eleven members, moderatism, if not Presbyterianism, was still in the ascendant. Overtures were again made to the king in the shape of a compromise embodied in four Bills, including resignation of 1647
the militia. Charles dallied and at last declined. His refusal gave the ascendancy to the thorough-going party, which carried a vote of No Addresses. He was looking for something better than a compromise with parliament. He had entered into communication with a party in Scotland, headed by the Duke of Hamilton, which was more royalist than Presbyterian, and proposed to invade England in his cause. In concert with the Scotch invasion there was to be a rising of the royalists in England. An instrument embodying this plan with the terms on which Scotch assistance was to be given was signed by Charles and the Scotch commissioners, wrapt in lead, and buried in the garden at Carisbrooke.

To the Independents and the parliament of England the danger was now extreme. A royalist reaction had set in. Fear and hatred of military rule prevailed. Parliament, trampled on by the army, had lost national respect. The people were galled by the assessments for the payment of the soldiery. They were exasperated, and in several places they revolted, not without bloodshed, against the austere Puritan rule which denied them their Christmas feast, their Sunday sports, their May-poles, their bear-baitings, and their plays. Bad harvests had increased the discontent and the disaffection. The pens

of royalist pamphleteers had been active, and had not spared Cromwell's character or his red nose. Hamilton, with an army, large, though ill-organized and ill-com-
1648 manded, crossed the border. The flames of loyalist insurrection burst out at several points, most fiercely in Kent, Essex, and Wales. Part of the fleet at the same time revolted and gave itself up to Rupert. But the English rising had no head. Charles had in vain attempted to escape from Carisbrooke. In London the insurrection flashed in the pan, and that all-important centre was secured for the parliament. Operating from it, a veteran army under good commanders prevailed over the numerically superior, but disjointed, forces of its encircling foes. Cromwell, after stamping out the insurrection in Wales, rushed on Hamilton, who was marching
1648 southwards, out-generalled him, and at Preston in Lancashire cut his army to pieces. Fairfax quelled the rising in the southern counties and drove the remnant of
1648 it into Colchester, which, after a long siege and a brave defence, fell. After this second civil war the victors were in a sterner mood. Of the gallant defenders of Colchester, Lucas and Lisle were shot after surrender. Capel and Goring were reserved for the judgment of parliament, and for the time let off with banishment, but when regicides had mounted to power were, with Hamilton, condemned to death, though Goring escaped the block. This, at all events in comparison with Jacobin bloodthirstiness, was mercy. The humanity of the English compared with the French Revolution, though largely traceable to political and social antecedents, showed a difference between the characters of the two nations in respect of self-control.

Charles had now made it plain that to parley with him was idle, and that to trust him would be suicide. Parliament, nevertheless, made one more desperate effort to treat with him, and sent commissioners for the purpose to 1648
Newport. It was thereupon purged by the Independents. Colonel Pride, with his soldiery, posted himself at the 1648
door of the House and turned back moderatist members to the number of one hundred and forty-three, some of whom were put under arrest. The army and its chiefs were now, without disguise, the supreme power. We have once more to remind ourselves that this was not a common army, but a political party in arms.

Before Charles's flight to Carisbrooke, the more violent of the republicans and the sectaries had begun to talk of bringing him to justice. But when he, under the mask of amicable negotiation, laid and fired the train for a second civil war, brought Scotch invasion on England, and compelled the army once more to fight against heavy odds for its life and for all it had won, the cry for justice on the great Delinquent grew louder and prevailed. Before the army took the field a prayer-meeting had been held at Windsor, at which those present resolved, after seriously seeking the Lord, that it was their duty, if ever the Lord brought them back in peace, to call Charles Stuart, that man of blood, to an account for the blood he had shed and mischief he had done to his utmost against the Lord's cause and people in these poor nations. At the close of the war the army, by the mouth of Ireton, had demanded that the capital and grand author of their troubles, the person of the king, might be speedily brought to justice for the treason, blood, and mischief of which he had been guilty in bringing about by his commissions, commands,

procurements, and, in his own sole interest, all the wars and troubles and miseries that attended them. The cup had been filled up by the blood of the army favourite, Rainsborough, who was murdered by royalists at Doncaster. Cromwell seems now to have seen the finger of God, to have made up his mind with his usual decision and with his usual force to have bent those around him to his will. The king was taken from Carisbrooke to Hurst
1648 Castle and thence brought to London by Harrison. He expressed a fear of assassination, but Harrison assured him that whatever was done would be done in the way of open justice.

In the way of open justice, at any rate, everything was done, and with a Puritan solemnity strikingly contrasted with the Parisian levity which characterized the trial of Louis XVI. The trial and execution of
1649 Charles I. were the work of a small party of men deeming themselves the instruments of God and acting with iron resolution in the face of a horror-stricken and paralyzed nation. The members of the high court of justice had a precedent in the execution of Mary queen of Scots, besides Hebrew examples of the punishment of idolatrous kings, which were probably more present to their minds. But the awfulness of the act is marked by the abstention of half the men named as judges, by the long struggles which evidently took place in the Painted Chamber, to which the judges retired, before sentence could be pronounced, and by the difficulty found in collecting, out of a body of one hundred and thirty-five named as judges, fifty-eight signatures to the death-warrant. It seems that an alteration having become necessary in the date of the warrant when some had already signed, erasure

and interlineation were preferred to re-engrossment, lest those who had signed once should refuse to sign again. Fairfax attended only a preliminary meeting and refused to take part in the trial. His royalist wife, who was present, nearly drew the fire of the soldiers upon the gallery by her scornful ejaculations.

That part of the prolix indictment which charged Charles with the bloodshed of the first civil war was groundless. Supposing that in the struggle for supreme power he had struck the first blow, the war had been a regular war, and when, after its close, parliament treated with him for a settlement, an act of amnesty was virtually passed. Treason against himself the king could not commit, and the resolution passed just before the trial, that by the fundamental laws of the kingdom it was treason in the king of England for the time being to levy war against the parliament and the kingdom of England, besides being revolutionary, could have no retroactive effect. Even from a moral point of view, the only acts of Charles in the first civil war which could be deemed treason against the nation were his invitation to foreigners and Irish rebels to invade the kingdom. Against these might be set the introduction of a Scotch army by the parliament. But treasons on both sides had been cancelled by the subsequent treatings. The act for which, whatever might be its legal aspect, Charles morally deserved to suffer was the conspiracy by which he brought on the second civil war while he was carrying on friendly negotiations with the parliament. For this apparently, unless royalty was impeccable, he merited, and unless his person was inviolable, he might expect to share, the doom of his instruments, Hamilton, Capel, Lucas, and Lisle.

Tradition says that the night after Charles's execution Lord Southampton with a friend got leave to sit up with the body in the banqueting house at Whitehall; that at two in the morning they heard the tread of someone coming slowly upstairs; that a man entered, muffled up, and with his face hidden in a cloak, approached the body, looked at it for some time, shook his head, sighed "cruel necessity;" then departed as he had come; and that Lord Southampton used to say that, though he could not see the man's face, he took him, from his voice and gait, to be Cromwell. Necessity was probably Cromwell's sole motive for an act which he might think justified by Charles's conduct in regard to the second civil war, but which, without necessity, it is most unlikely that he would ever have done. To make terms with Charles had been found to be impossible; there appeared to be no one to replace him on the throne; and in banishment he would never have ceased to conspire. The wrath of the army, too, had probably got beyond control. Thus there might be apparently, a melancholy necessity, in which, as usual, Cromwell saw the finger of God.

Nothing, however, can be less true than that the action of the English regicides "struck a damp like death through the heart of flunkeyism, of which flunkeyism has gone about incurably sick ever since." Flunkeyism gained at least as much as it lost. The king, who had trampled on law and right, was made to appear the assertor of law and public right against an illegal tribunal. The touching piety and dignity with which he bore himself upon the scaffold effaced the memory of his misdeeds. Instead of a dethroned tyrant he became a saint and a martyr.
1649 The groan which, when his head fell, arose, after a moment

of shuddering silence, from the crowd was the expression of a general feeling and prophetic of a restoration.

To the children of Charles, who were in its hands, the Commonwealth was very kind; unlike the French Republic, which butchered the wife and sister of Louis XVI. and killed the child his son by maltreatment. The queen had been impeached, not unjustifiably, since she attempted to bring foreign troops, and such a band of foreign banditti as the Lorrainers, into the kingdom. But it was not likely that more than a threat was intended.

CHAPTER XXII

THE COMMONWEALTH

CHARLES I. EXECUTED 1649; CROMWELL PROCLAIMED LORD PROTECTOR 1653

WITH the head of the monarch fell, for the time, the monarchy, and with the monarchy fell the House of Lords, the lives of the two being bound up with each
1649 other. Both had been solemnly voted out of existence by a resolution of the Commons, declaring that the people are, under God, the original of all just power, and that the Commons of England in parliament assembled, being chosen by and representing the people, have the supreme
1649 power in this nation. A new great seal was made, bearing, instead of the effigy of the king, on one side a map of England and Ireland, with the arms of the two countries; on the other a representation of the House of Commons with the inscription, "In the First Year of Freedom, By God's Blessing Restored, 1648." The oath of allegiance became an oath to be true and faithful to the Commonwealth of England. The statue of Charles was thrown down and on the pedestal was engraved the inscription, *Exit Tyrannus Regum Ultimus.* The English revolutionists, however, did not tear dead Plantagenets and Tudors out of their graves. To signalize the abolition of the House of Lords, three of its members had themselves elected to the House of Commons. Rank

and majesty changed their seat. At a city dinner a peer ostentatiously gave place to an officer of the Commonwealth. On the question of abolishing the House of Lords or retaining it as a merely consultative body, there had been, even in a House of Commons purged of its anti-revolutionary elements, a division of forty-four to twenty- 1649
nine. So strong was still tradition.

Such judges as would consent, being half of the bench, were reappointed, and justice held its usual course. County and borough institutions were left intact; saving that the London council, as a great power, was packed for the Commonwealth. The titles of the lords were not abolished. Only with regard to the monarchy was a disposition shown to obliterate the past.

This is the first national republic. The republics of antiquity were not national, but municipal; nor were they really democratic, since the mass of the people were slaves. The republics of medieval Italy were also municipal, not to mention that they still acknowledged the Emperor. The federation of the Swiss Cantons was at this time a mere league. In the United Netherlands, besides the incompleteness of their union and the hegemony of Holland, the Stadtholderate, hereditary in the House of Orange, had been a monarchy under another name. The English republic was premature, the mass of the people being still monarchists. It was a leap into the political future. It was the aspiration and work of a party, small compared with the nation, and its life, sustained only by that party, was short. So sensible a republican as Blake could believe that the end of all monarchy was at hand; but destiny mocked his dream. Yet abiding interest attaches to the Commonwealth as

having pointed the way for the exodus of European society from the hereditary system.

The king, by whose writ parliament sat, was in his grave, and the House of Commons, reduced by secession, decimated by Pride's purge, and coerced by the army, had not the shadow of right to call itself the representation of the people. Its only assured constituency was the army. The somewhat doctrinaire Ireton, in the new Agreement of the People which was
1649 presented to parliament by the army and which embodied his views, proposed an immediate dissolution of the House and an election with an equal distribution of seats. Had his proposal been adopted without a narrow party restriction on the exercise of the suffrage, there would have been an overwhelming defeat of his cause. The continued existence of the Long Parliament was justified by revolutionary necessity. As Marten shrewdly said, in the case of the Commonwealth as in that of Moses the best foster-mother of the child was its mother.

The need of a strong executive was felt, to undertake the duties performed by the Committee of Safety and afterwards by the Committee of Both Kingdoms. A
1649 Council of State was annually elected by parliament. There were forty-one members, including all the chiefs except the austere theorist Ireton. But the number which took part in the sittings and carried on the government was far smaller. The members of the committee being also members of the House of Commons and in the ascendant there, sufficient unity of counsels was secured. A leading spirit of the Council of State was Sir Henry Vane, who showed that a man of specula-

tion, even if he is somewhat of a dreamer, may, when set to work, prove himself a man of action. He is at all events untrammelled by the selfish interests of the men of the world.

The execution of the king and the transition from monarchy to a republic could not take place without general disturbance. The fountains of the political deep were broken up. There ensued a carnival of wild sects and chimeras. One set of visionaries anticipated the movement of the present day against private property in land, which they, like the heirs of their fancy, styled a relic of Norman conquest, and proceeded to put their theory into practice, though, it seems, only by digging up commons which had been enclosed. Communism took little hold. More hold was taken by Harrison's idea that the godly should rule the state. The most formidable of the disturbers were the political Levellers in the army, who had imbibed the radical teaching of Lilburne and regarded all authority save that of the popular vote direct as tyranny to be put down. Among these there was a great mutiny, which Fairfax and Cromwell quelled with decisive firm- 1649
ness, and at the same time with the utmost economy of blood. How great was the danger was seen when Lockyer, a trooper who had been shot for mutiny in London, was borne to his grave with military pomp, six trumpets sounding his knell, an escort of a hundred soldiers heading his funeral procession, his horse clad in mourning led behind him, his corpse adorned with bundles of rosemary one half bathed in blood, among which his sword was laid, while thousands followed in rank and file with sea-green and black ribbons, the badges of the cause, on their hats and on their breasts, women bringing up the rear,

and thousands more meeting the procession in the churchyard at Westminster.

Royalism, though its sword was broken, continued to fight with its pen, and a storm of pamphlets, violent and scurrilous in the extreme, assailed the revolutionary government. But more effective than any pamphlet or any editorial of a royalist journal was "Eikon Basiliké; the
1649 Pourtraicture of his Sacred Majestie in His Solitudes and Sufferings," which showed what may be done by a skilful manipulator of opinion. This book pretended to be a devotional autobiography of Charles, revealing the pious and martyr-like beauty of his character. It was really the work of Gauden, an Anglican divine, who afterwards claimed and received his reward. But it was greedily accepted by the royalists as genuine, had an immense circulation, and produced an immense effect. To shatter
1649 the Eikon, the Council of State called out Milton, who plied his hammer with all his might, but whose appeal to the intellect was weak compared with the effigy which
1649 had taken hold of the heart. Milton was made Latin secretary to the Council of State, which employed Latin as the diplomatic language, and he became the state pamphleteer, defending the revolutionary and regicide republic in the court of European opinion, where he had a violent and grossly personal encounter with Salmasius, the renowned scholar whose pen the royalists had enlisted in their cause. It is on a principle something like that of the social contract that he bases the responsibility of kings and maintains the right of tyrannicide in default of more regular justice.

Higher far and of more abiding interest than Milton's onslaught on the Eikon or on Salmasius had been his

earlier treatise, "Areopagitica," or plea for unlicensed 1644
printing. This makes an era in the history of that liberty which is of all liberties the most precious and the surest guardian of the rest. There had so far been no legal censorship. But government had always assumed the right of controlling the utterance of opinion. The famous passages of Milton's treatise have implanted themselves in the British mind, and are lasting safeguards of the principle they enshrine. But to allow perfect freedom of publication was impossible for a government beset with enemies and struggling to maintain itself against insurrection and mutiny: in a besieged city opinion must for a time be under restraint. The secretary of the Council of State had to comply with measures of repression from which the author of the "Areopagitica" would shrink. Yet a council of which Vane was a leading member could hardly be inclined to interfere beyond the exigencies of the time with the freedom of the press. The press law of the Commonwealth was not a settled policy, but a sort 1649
of martial law applied to the press, and it was not so enforced as to prevent the continuance of royalist journalism and pamphleteering, which the government combated through an organ of its own.

The government was less well advised in trying to coerce opinion by a test, called the Engagement, binding first all officials, afterwards the whole population, to be faithful to the Commonwealth. This test, like all tests, could only act as a sieve, sifting honesty from dishonesty and throwing honesty aside.

It does not seem that the Council interfered beyond the measure of necessity with the regular course of justice. For cases of treason in which it could not have relied on

royalist jurymen, who would have deemed the treason
1649 virtue, it set up a high court of justice; but the court was thoroughly respectable, was guided by lawyers, was regular in its procedure, and kept the rules of evidence. It in no way resembled the revolutionary tribunal of the Jacobins. John Lilburne was an honest, restless, and turbulent fanatic, a forcible writer and speaker, who being utterly unable to understand the times, persisted in attempts to upset the government by unanswerable and unreasonable appeals to the Great Charter and the Petition of Right. Him the government allowed to be
1649 tried by a jury, by which he was acquitted amidst a whirlwind of popular applause, such as showed the Council in what peril it stood, and forced it to get rid of the
1652 formidable agitator by temporary banishment. That for a government subsisting by the sword it was sparing of blood, its severest censors allow. This was the more to its credit, as the defeated cavaliers at once began to show their chivalry by assassination. Two envoys of the Com-
1649 monwealth, Dorislaus in Holland and Ascham in Spain,
1650 were murdered, and the murders were applauded by the party.

The vigour of the Council, especially, it seems, of Vane, was shown in the organization of a powerful fleet, which was required for defence against Rupert, who, with revolted ships of the English navy, was piratically sweeping the seas, and was abetted and harboured by the
1650 government of Portugal. This fleet was regular and national, not impressed, and has been, not without reason, regarded as the foundation of the regular British navy. The best of all foundations in fact was laid when justice was for the first time done to the claims of the common

sailor, who felt in better treatment and higher rewards the change to a democratic government. Democracy finds it necessary to purchase by liberality that which monarchy can command.

The scene shifts to Ireland, a name full of sorrow, 1641
of misery, almost of despair. While a civil war of men was raging in England, in Ireland there had raged a civil war of fiends. It had been commenced by the natives with massacre, for which the colonists, when they could, took fearful vengeance, and it had been carried on in the spirit in which it had begun. The Irish population of Island Magee was massacred, man, woman, and child, by the Scotch garrison of Carrickfergus, and among the ser- 1641
vices credited to Cole's regiment we find that of having "starved and famished, of the vulgar sort, whose goods were seized on by this regiment, seven thousand." When the Irish landed in England or Scotland as auxiliaries of the king or Montrose, they committed similar atrocities and they were regularly refused quarter. To fill the cup of mutual hatred, intense antipathy of religion was added to the intense antipathy of race and the mortal struggle for the land. In the war between the American frontiersman and the Red Indian, or in that between the Anglo-Indian and the Sepoy mutineer, more, perhaps, in the latter than in the former, we have something like a counterpart of the war between the races and religions in Ireland. There had been three parties in the island; that of the Celtic and Catholic Irish; that of the king, who was ably and honourably represented by the Deputy, Ormonde; and that of the parliament. The party of the parliament split, in Ireland as in England, into a section of Presbyterians, there formed by the Scotch in

Ulster, and a section of Independents. By the catholic Celts a provisional government was formed for the con-
1642 duct of the struggle, under the title of the Council of Kilkenny. The predominant influence in the Council was ecclesiastical, the managers were priests, and to take supreme control as well as to carry the assurance of the pope's sanction and sympathy, a Nuncio, Rinuccini, was sent from Rome. This congress was more like an embodiment of Celtic and catholic nationality than anything which had appeared before. But it was divided into two parties, whose main object was not the same. The main object of the priests and of the nuncío was the restoration of the catholic religion; the main object of the catholic lords and of the agrarian peasantry was the recovery of the land. The divergence perplexed their policy, especially when they were dealing with the king, to whom, as he looked for English support, open alliance with Roman Catholicism was ruin. No really powerful leader showed himself among them. Their chiefs quarrelled as Parnellites and Anti-Parnellites have quarrelled since. Their best man was Owen Roe O'Neill, a soldier trained abroad, who came as a patriot to fight for the deliverance of
1646 his race. One signal victory at least the Celts won, but it had no permanent result, and in general the stronger race, though far inferior in numbers, prevailed. Charles tampered with the rebel Irish, and, Ormonde being too honourable for underhand or disloyal dealings, employed for the purpose Glamorgan, the dis-
1641 closure of whose intrigue brought infamy and disaster on his employer's cause. Strafford's Irish army for the subjugation of England had never been forgotten. Among the terms of settlement tendered Charles by the parlia-

mentarians had been the surrender by him to parliament of the conduct of the war in Ireland.

While the war raged in England neither the king nor the parliament had force to spare for the other island, and parliament, with an exhausted treasury, could pay soldiers for Ireland only by the issue of debentures to be located on the forfeited lands of the Irish rebels, binding itself when the conflict should have ended, to a sweeping measure of confiscation. Thus Ireland weltered in bootless carnage and havoc, the fatal gulf between her races and religions deepening all the time, till, by the close of the second civil war in England, Cromwell's hands were set free. He 1649
then passed with a veteran army to Ireland. He put forth a stern declaration against the maltreatment of the people by the soldiery, with an assurance of protection to the peaceable and quiet; the first voice of order and humanity that had been heard in Ireland for eight years. He then morally ended the war by two terrible blows. The 1649
slaughter of the garrisons of Drogheda and Wexford, when they had refused to surrender on summons and the places had been taken by storm, was deplored by Cromwell himself as a melancholy necessity, and his memory owes little to the worshippers who have spoken of it in a different strain. That garrisons refusing to surrender on summons might be put to the sword was the law of war in that day, and such was the regular practice of the catholic armies of Spain and the Empire, which, indeed, did not limit the slaughter to the garrison. Nay, it seems that the Duke of Wellington held that a garrison standing a storm could be lawfully put to the sword, and even that such an example might in the end be a saving

of blood. In this Irish war quarter had been given on neither side. The papal legate, Rinuccini, reports with exultation after a victory that the Irish had taken no prisoners, that the vanquished had been put to death without mercy, and that the slaughter had gone on for two days after the battle. Among those stained with that blood and with the blood of the great massacre, were some of the defenders of Drogheda and Wexford; so at least Cromwell believed. Of the garrisons part only were native Irish. At Drogheda, Cromwell led the assault in person, and his passions were no doubt fiercely fired. As a rule he was not cruel in war. It seems difficult to deny that the number of surrenders which followed and the speedy collapse of the war were due to the effect produced by Cromwell's blows on the mind of people susceptible of such impressions, or that blood was thus saved in the end. Had the garrison surrendered on summons, their lives would have been spared. Horrible and heart-rending these massacres were; so were the massacres of Sepoys after the Indian mutiny.

Peace having been made, Cromwell in a manifesto characteristically clumsy, incoherent, and earnest, reasoned with the Irish and declared his policy both civil and religious, showing that it was not, as their priests had been leading them to believe, one of extermination. He declared that he would not take or suffer to be taken the life of any man not in arms otherwise than by due course of the law, and that although he could not tolerate the Mass, he would not interfere with conscience, but would endeavour to walk patiently and in love towards the Roman Catholics to see if at any time it should please God to give them another or a better mind.

He challenged them to show that since his coming into Ireland a single man not taken in arms had been slain or punished without an endeavour on his part to do justice. The manifesto was at least addressed to the hearts and understandings of the people, not to their fears. Of a part of the vagabond savagery with which the country swarmed after the war, Cromwell got rid by encouraging enlistment in continental armies, which presently gave birth to the famous Irish Brigade.

It now remained to satisfy the claims of the holders of debentures, Adventurers, as they were called, and of the soldiers who had received debentures as their pay. To do this the catholic land-owners in three out of four provinces of Ireland were deprived of their lands, receiving nominal indemnities in Connaught, to which province 1653
catholic land-ownership, with its social and religious influences, was to be confined. The common people, mechanics and labourers necessary to the cultivation of the soil, were not included in the sentence of deportation; they were left in their homes under new masters, better masters probably so far as training in industry was concerned, though aliens in race and in religion. Still the measure was ruthless, and one at which we shudder and from which humanity would recoil at the present day. This was in 1653. In 1685 Louis XIV. expelled the Huguenots from France. In 1731 the catholic Prince Bishop of Salzburg expelled the whole protestant population of his principality. A few years after the deprivation of the catholic land-owners of Ireland the catholic Duke of Savoy butchered the pro- 1655
testant population of his valleys. In Ireland it was *et sq.*
a mortal struggle between two races for the land, and

the Celt had shown that Celtic victory meant not only the expropriation but the massacre of the Teuton. The Teuton was the later comer, but after a denizenship of nearly five centuries he could hardly be called an intruder, to say nothing of the still earlier Scandinavian settlements. That the mass of the Celtic Irish were at this time still barbarous and exposed to the treatment to which barbarians are held liable by a self-styled civilization, may be an odious fact, but is a fact, wherever the blame may have lain. There was no such excuse in the case of the Huguenots or in that of the people in the protestant valleys of Savoy.

1650 From Ireland the scene shifts again to Scotland. Returning from his Irish victories, Cromwell was called upon to take the field against the Scotch. Of the Covenanting party in Scotland, that section which was more royalist than Covenanting had invaded England under Hamilton and met its doom in the fight at Preston, after which Cromwell, visiting Scotland, had been well received by the more religious section and its head, the politic Argyle. But all the Scotch Presbyterians were monarchists by profession. They hated the thing monarchy, it was said of them, but they must have the name of it. Stronger than their attachment to monarchy was their abhorrence of toleration and of the Independents and other sectaries who were masters of the regicidal Commonwealth and whose ascendancy extinguished the hope, kindled in Scotch hearts, of bringing England under the Kirk. The influence of the storm gathering in the north on the mind of the English parliament had been shown of late by moral and religious legislation, calculated to conciliate the English Presbyterians, from the religious part

of which the tolerant spirit of the Independents would have recoiled, though the pretensions to Messiahship and the Antinomianism to which the wild times were giving birth must have put a severe strain on toleration.

The Scotch at once recognized Charles II. as king of 1649
both countries, thereby virtually declaring war against the English Commonwealth, on which, moreover, they avowed their intention of forcing their form of church government. They invited Charles to Scotland provided he would take the Covenant. Charles hated the Covenant and those who were tendering it to him; but he took the pledge and prepared to sail for Scotland.
At the same time he secretly authorized Montrose, who 1650
promised him restoration without the Covenant, to make another attempt. Montrose, with his usual daring, made the attempt, but the unstable Highlander failed him, he was overwhelmed by the troops of David
Leslie at Carbisdale, captured and carried to Edinburgh, 1650
where he suffered at the hands of the vengeful Kirk the usual fate of the enemies of the Lord. The key to Montrose's course as a politician it is difficult to find. Probably there was no key but impulse. He constantly averred that he was still faithful to the original Covenant. But he could hardly have pretended that his attitude towards it had not changed since the day when he signed it and in its cause attacked and took prisoner the catholic and royalist Earl of Huntly. Soaring ambition, the restless spirit of the old Scotch nobility, hatred of his rival Argyle and Argyle's Presbyterian following, with an attachment to the crown which by fighting and conquering in the royal cause was raised to the pitch of a passionate and religious loyalty, will probably go far to account for his

career. What is certain is that he was a most romantic figure, showed miraculous generalship on a small scale, and, in the scarlet mantle trimmed with gold lace which he wore to his execution, died as he had lived, a most brilliant and gallant gentleman.

1650 Montrose's attempt having failed, Charles unblushingly disclaimed it; and it is hard to say who lied most, he or the Covenanters who pretended to believe his disclaimer. He came to Scotland, bowed his neck to the abhorred Presbyterian yoke, took the Covenant with his tongue in his cheek, and enacted with his Covenanting supporters one of the most farcical scenes in history. At his side was his congenial friend the Duke of Buckingham, at whose scandalous dissoluteness leaders of the Kirk connived because he cynically advised Charles to put himself wholly in their hands. Charles was even called upon publicly to deplore the sins of his prelatical father and the idolatry of his catholic mother. "The king," says Burnet, "wrought himself into as grave a deportment as he could; he heard many prayers and sermons, some of a great length. I remember in one fast day there were six sermons preached without intermission. I was there myself, and not a little weary of so tedious a service. The king was not allowed so much as to walk abroad on Sundays; and if at any time there had been any gaiety at court, such as dancing or playing at cards, he was severely reproved for it. This was managed with so much rigour and so little discretion that it contributed not a little to beget in him an aversion to all sort of strictness in religion." It was likely to make him an atheist or a Roman Catholic; in fact, it made him both. Once, later on, Charles's patience broke down and he

bolted. The incident was called The Start. It is needless to say that, bad as the boy's conduct was, that of the Kirk elders who bribed and forced his conscience was worse. Presbyterian Scotland, however, accepted Charles as king and armed in support of his pretensions to the throne.

Rather than have a Scotch army in the bowels of England stirring up all the elements of disaffection, the Council of State resolved to assume the offensive and invade Scotland. Fairfax, though since the beginning of the king's trial he had entirely withdrawn from the political field, was still commander-in-chief, and had continued punctually and loyally to perform the duties of that office. But the end of his revolutionary sympathies had been reached. His wife was a strong Presbyterian. He had himself leanings that way. To ask him to command an invasion of Presbyterian Scotland was too much. In spite of earnest solicitations in which Cromwell warmly, and, there can be no doubt, sincerely, joined, he persisted in resigning, and retired to his stately mansion, his books and coins, at Nun Appleton. His retirement was fatal to the union between the Independents and the moderate Presbyterians which it was now Cromwell's object to preserve. Cromwell, taking the command, invaded 1650
Scotland. He was there encountered by David Leslie, his confederate at Marston, with an army greatly superior in numbers but inferior in quality to the veterans of Naseby and the Irish campaign; all the more inferior when ministerial fanaticism had purged it of ungodly officers and soldiers to ensure to it the favour of the Lord. Cromwell was a tactician rather than a strategist, and above all a leader of cavalry. He failed to

force the line of defence covering Edinburgh which Leslie had taken up. At last he was in great straits, and would have been in greater had not the sea been kept open for him by the new naval power of the Commonwealth. He was obliged to fall back, was in danger of having his retreat cut off, and although hope always burned in him as a pillar of fire, he evidently felt as if his situation was almost desperate, when a false move of the Scotch, inspired, it seems, by the overweening confidence of the preachers, gave him an unexpected opening for attack. He seized it with his usual deci-
1650 sion, and in the battle of Dunbar utterly shattered the Scotch army. The attack was made at dawn. As the sun rose upon the field of victory, Cromwell's spirit was uplifted with religious enthusiasm. "Let God arise," he cried, "and let his enemies be scattered." At a halt in the chase he struck up a psalm. At Dunbar the Puritan spirit was seen in its highest exaltation, and at the same time in its identity with the spirit of Joshua rather than with the spirit of Jesus. Glad were the tidings of Dunbar to the English Independents. They hung the captured colours in Westminster Hall; they struck medals bearing Cromwell's likeness, in spite of his protest. They showed their release from fear of the Presbyterians by giving legislation a liberal turn.

The Scotch, Cromwell treated not as enemies, but as misguided friends. Such, in fact, had been the tenor of the manifesto which he put forth on entering Scotland. He expressed his surprise, however, at finding that under the Presbyterian system there lay, beneath the surface of enforced godliness, much that was not godly. His observation seems to be confirmed by the criminal records

of the time, especially in regard to sexual offences. His victory at once shook the rigid rule of the church and made way for comparative freedom of opinion.

Monarchical parties in Scotland were now fused by defeat, and objections to association with Engagers, as the political followers of Hamilton were called, were waived by all except a very stiff section dubbed Remonstrants. Charles was crowned by the coalition at Scone, and to 1651
win his kingdom for him a new army was formed under David Leslie. Leslie again showed his skill as a tactician on the defensive. In trying to manœuvre him out of his lines between Falkirk and Stirling Cromwell got to the north of him. Leslie then slipped away and, taking Charles with him, invaded England, where it was hoped the royalists would rise in their young king's favour. In Lancashire they did rise under their local chief, Lord Derby, but the movement was weak and was easily quelled. National antipathy was still too strong to welcome Scotch invasion. Not only did Leslie's army find cold welcome, but the militia and trained bands turned out at the call of the government with a readiness which seemed to betoken general acquiescence in the new rule. At Worcester, whither Charles's march had been directed in the vain hope of reinforcement from the royalist western counties and from Wales, his army was brought to bay, hemmed in by a superior force under Cromwell, who had followed from the north, and, after a brave resistance, totally destroyed. Charles, after adventures in 1651
which he found honour in lowly places, escaped to the continent.

Worcester was Cromwell's "crowning mercy," and the topmost step of the stair up which fortune had led him

to supreme power. He was now not only the leading man but master of the situation; he was lodged in the forsaken palace of royalty, and received almost royal homage. That he had long been scheming for supreme power, as his enemies and detractors averred, is not
1649 likely, since a year and a half before he had married his eldest surviving son, the heir of his fortunes, to the daughter of a private gentleman, Mr. Mayor, treating about the marriage settlement with an interest which he would scarcely have shown had he looked forward to being master of a kingdom's wealth. Probably he told his own secret when he said that no one rose higher than he who did not know whither he was going. How far he was led by patriotism, how far by ambition, in the course which he now took, who can tell? Who can see across two centuries and a half into a heart so deep as that of Cromwell?

1652 On the return of Cromwell to London, after Worcester, was passed an Act of Oblivion, due no doubt to his influence, and an earnest of his policy, which was reconciliation and the reunion of the nation. The Act was niggardly, but in every division on the clauses of the Bill he voted on the side of mercy.

Cromwell's Scottish victories produced a fruit more glorious than Dunbar, a fruit which, if dust could feel, would have made the dust of the great Edward re-
1652 joice. They were followed by an incorporating union of Scotland with England. For this the road had been opened by conquest, and conquest in defensive war, which gives the conqueror his full privilege. Yet Cromwell and the Council of State acted like true statesmen, not in the spirit or with the demeanour of conquerors, but with

all possible respect for the honour and feelings of the Scottish nation. A commission was sent down to Scotland, where it submitted a tender of union to representatives of the Scottish shires and boroughs. Stiff Presbyterians shrank from incorporation with a republic of Independents; high royalists shrank from incorporation with a republic of any kind; while separate nationality could not be resigned without a pang. But Cromwell's rule had already abated prejudice. It had cleansed and lighted Edinburgh and given her a better police. It had also sheltered beneath its military protection the growth of independent sects which yearned for liberty of conscience and emancipation from the Presbyterian yoke. The Scotch lawyer stood aloof; but it was found that an English commandant, untrammelled by party or family connection, "proceeded more equitably and conscientiously in justice than our own Scottish magistrates." Even Malignants appealed from the rigour of Kirk authorities to the equity of an English general, and some of them became warm promoters of the union. The Kirk, indeed, ceased to dominate. The General Assembly, through which its collective force had been brought to bear upon the nation, was dispersed by a colonel, who refused to recognize the divine warrant, and it was reduced to its presbyteries and synods. The union, some say, was an unwise measure because it set Scotch nationality at naught. If union was good in 1707, why was it not good in 1652? Had not the Scotch fought at Marston and been represented in the Committee of the Two Kingdoms? Had not the union of the kingdoms, their religious union at least, been an article in the Scotch treaty with Charles at Newport? Had not Scotland proclaimed

Charles II. king of Great Britain and sought to put him on the British throne? Was there any barrier between the Englishman and the Lowland Scotchman more insuperable than that between a Lowland Scotchman and the Highlander, or even than those between parties in Scotland? Had not union been proposed by the Scotch to Elizabeth? Had it not just been proposed by Argyle? What was to be done with Scotland? Was it to be put back into the hands of the enemies of the English Commonwealth? If we condemn a policy we are bound to be prepared with a better.

Over the colonies, after a slight resistance by a royalist party in Barbadoes and Virginia, the Commonwealth stretched its rule, but on terms, as expressed in the case of Barbadoes, of colonial self-government, self-taxation, and freedom of trade, which if they had remained in force might have torn the page of the American revolution out of the book of fate.

The government of the Commonwealth had to assert its place among the governments of Europe. Catholic monarchies showed little emotion at the fall of the heretic king, and were ready to bid for his fine collection of works of art. But they, Spain especially, looked with horror on a regicide republic, even in an island, with the sea to cut off the contagion. Luckily for the Commonwealth, France and Spain were struggling for supremacy, and neither of them could afford to make an enemy of England. Holland was itself a republic, but not regicide; a prince of Orange, afterwards its Stadtholder, had married a daughter of Charles I., and Charles II., with his train of exiles, had there found shelter. The Commonwealth of England did not proclaim itself propa-

gandist and threaten other governments with subversion, but it insisted on recognition. This was withheld at first most positively by the government of France, at the head of which was Mazarin, with Henrietta Maria at his elbow. But Cromwell and Blake, victory by land and sea, practically had their effect. Mazarin tried to open negotiations without recognizing the Commonwealth. The Council of State haughtily ordered his envoy to quit the country. At last, like an Italian statesman, he waived prejudice and recognized. The Commonwealth of England was formally admitted among the powers. 1652

So far the Council of State did well. It did far from well in going to war with Holland. In its breast had arisen a wild design, if not of an incorporating union of the two protestant republics, at least of an impracticably close alliance, and inadmissible demands had been made upon the Dutch for expulsion of royalist exiles and for the proscription of the House of Orange as dynastic and connected with the English dynasty. The Navigation Act, 1651
forbidding importation in any but English bottoms, was a measure passed by the English parliament in accordance with the protectionist policy of that day, to oust the Dutch from the carrying trade. With this, the Dutch put up, but they could not put up with the arrogant assertion of English supremacy in the narrow seas, or with the seizure of Dutch vessels having, or suspected of having, enemies' goods on board. There was a series of obstinate and bloody battles with general victory to England, with ruin to the Dutch, who had a great merchant and fishing marine to be cut up while the merchant marine of England was small. On the Dutch side Tromp was the hero; on the English, Blake, who, a

student till he was twenty-eight, then a politician, afterwards distinguished as a soldier, took command at sea, like the amphibious warriors of those days, when he was fifty, and became the naval glory of England, if not the founder of her naval tactics. Miserably the two free and protestant commonwealths, which ought to have been the fastest allies, spent their forces and the blood of their seamen in mutual havoc. In the naval administration, which was good, Vane had the principal hand.

It was probably about this time that Cromwell held a conference, reported by Whitelock, with some leading soldiers and lawyers about the settlement of the constitution. The soldiers were for a republic, but the lawyers were unable to see how law could exist without the monarchy, with which all their legal formularies were bound up. Whitelock, if he tells the truth, suggested the restoration of the Stuart family. To the restoration of the Stuart family, the head of which had then a price set upon his head, Cromwell would not listen. He abhorred Charles as a profligate, apart from political grounds. Between monarchy and republic he seems, outwardly at least, to have wavered, with an inclination to monarchy. If he thought of monarchy, he must have thought of the king; and if he thought of the king, of whom can he have thought but himself?

The Long Parliament, now dubbed, by a name fatal to its majesty, the Rump, had not only by the death of the king who had called it and the suppression of one of its two Houses lost its original and constitutional character, but by exclusions, purges, and military coercion it had lost the character of a representative assembly. It consisted of little more than a hundred members, only about

half of whom took an active share. It was nothing but the revolutionary organ of a dominant party. At the same time there could be no doubt that, minded as the country still was, a free election, even if the Cavaliers, or Malignants as they were called, should be excluded, would result in the overthrow of the regicidal government and in the ruin of the cause. Milton, at a later period, advised the republican members frankly to discard the name and the form of a parliament, to constitute themselves the standing council of the nation, with the proper machinery, in the way of partial renovations at stated intervals, for keeping touch with the people, and in that character openly to take upon themselves the government of the country. On the other hand, after Dunbar and Worcester, the time might seem to Cromwell to have come for closing the civil war, for broadening the basis of government and making it once more national, for amnesty, for reconciliation, for putting an end to the fines and confiscations which were the sinister budget of revolutionary finance, and in the levying of which, as well as in the general confusion of the financial administration, there were opportunities for corruption, of which the members of the parliament were believed, and one of them, at least, was proved, to have taken advantage. Our great historian of the period has quoted from Mazarin's envoy, Croullé, a testimony to the virtues of those who ruled the Commonwealth. "Not only are they powerful," says Croullé, "by sea and land, but they live without ostentation, without pomp, without emulation of one another. They are economical in their private expenses and prodigal in their devotion to public affairs, for which each one toils as if for his private interests. They handle large

sums of money which they administer honestly, observing a severe discipline. They reward well and punish severely." This perhaps may be taken as a general picture, but cannot be taken as wholly true. When supreme power and supreme command of pelf are in the hands of political and religious party, hypocrisy and with it knavery are too sure to abound. With their Dutch war Parliament and its Council of State had greatly added to financial embarrassment, terrible enough before, and had been driven to fresh confiscations. They had sold the royal gallery of paintings and had resolved to sell the cathedrals. Cromwell, with all his officers in the army at his back, called for dissolution and a new election. But the parliament shrank from the abyss over which it was suspended, dallied with the terrible question, fixed a distant day for dissolution, and then proposed practically to perpetuate itself by confirming all its existing members in their seats and submitting the new elections to their revision.

As parliament would not depart of its own accord, Cromwell resolved to turn it out. Whether that resolve was dictated by patriotism or ambition, whether it was necessary and politic or not, the mode of carrying it into execution could hardly have been worse. Policy and right feeling alike required that the general of the parliament should treat with as much forbearance and respect as the momentous step which he was taking permitted, the assembly which he had served and the men with whom he had acted. Cromwell went down to the House,
1653 listened for some time to the debate on dissolution, then rose to speak, and after opening in a strain of compliment, suddenly turned to invective, denounced the House,

and proclaimed that its sittings must end. He then called in soldiers, bade them "take away that bauble," the mace, forced the Speaker from the chair, drove out the members, and closed the doors. At some of the members, Vane and Marten among them, he hurled personal insults. All of them he exposed to the derision of the common enemy, who chalked upon the door of the assembly "House to Let Unfurnished." If Cromwell had not lost his head, which was unlikely, he had felt misgivings, and to drown them had worked himself into a passion which had carried him too far. A dignified protest from Bradshaw and a number of the expelled members was the first fruit of the ignominious expulsion. The deadly enmity of men still powerful was its further result. No explosion of public feeling, however, followed the dissolution of the Long Parliament; that assembly after all its achievements seems to have departed amidst general indifference, if not amidst general contempt. For this its loss of a constitutional character will hardly account. There must have been suspicions of self-seeking and of corruption, for which the fining of Malignants, the sequestration of their estates, and the sale of all the crown and church lands, would afford opportunities difficult to resist.

CHAPTER XXIII

THE PROTECTORATE

OLIVER CROMWELL PROCLAIMED LORD PROTECTOR 1653; RICHARD CROMWELL DEPOSED 1659

NOTHING was now left but Cromwell, with the army, a political army it is always to be remembered, as the basis of his authority. He had no love of sabre sway. Like Caesar, unlike Napoleon, he had been a politician before he was a soldier and he had always shown himself loyal in principle to the supremacy of the civil power.

His aim may fairly be said to have been, after closing the wounds of the civil war by amnesty, to re-settle the government on a broad national basis, in accordance with the habits and traditions of the people, securing to the nation at the same time the substantial objects, religious and political, the religious objects above all, for which the civil sword had been drawn. From the conference which he held at the critical moment with leading men, soldiers, and lawyers, to take the soundings of opinion as to the settlement of the constitution, it appears that his own leaning was in favour of something monarchical, whether with the old or with a new name. How far in this he was listening to the promptings of his own ambition is a question which must, once more, be left unanswered. His ambition at all events was in unison with the habits and

traditions of the bulk of the nation, as at the Restoration appeared. In any case he was not guilty of apostasy. He had drawn his sword in a religious cause with which the cause of civil liberty was identified, and had never proclaimed himself a republican, though he had republicans among his brethren in arms and had, no doubt, listened to them with sympathy and perhaps flattered their aspirations. He had evidently been willing to restore the king if the king could have been effectually bound to mend his ways. That Cromwell was still true to liberty, Milton, no bad judge, must have been convinced when he wrote his sonnet. While he knew that Cromwell had suffered detraction, over which, as over his enemies in war, he hails him triumphant, he beckons him on to victories of peace and to the rescue of free conscience, of which he regards him as the hope.

Cromwell's ambition has been often contrasted with the moderation of Washington. The two cases are not parallel. The American revolution was not, like the English revolution, in the full sense of the term, a civil war. It was mainly a struggle against an external power. This unites rather than divides the struggling community. Cromwell said truly that in England there was need of a constable to restore order. There was comparatively little need of a constable in America.

The true view of Cromwell's character is that which represents him as raised from step to step by circumstance without far-reaching ambition or settled plan. The "war's and fortune's son" had "marched on" as war and its fortune led him. He rather dealt decisively with events as they came than tried either to control or forecast their course. He even seems, from his conduct with regard to

the execution of the king and the ejection of the Long Parliament, to have been capable of an impulsive plunge.

It was a wild state of agitation, political and religious, over which the baton of the constable was waved. Fifth monarchy men, such as Harrison, were calling for the reign of the saints. Presbyterians were still struggling to impose their intolerant theocracy. Fox and his Quakers were, in the name of their inner light, invading steeple-houses, railing at ministers, and preaching naked in the streets. Antinomians were teaching that sin in the children of grace was no sin. Levellers like Lilburne were clamouring for a direct government by the people, which would have led the nation through anarchy back to the Stuarts. Communists were demanding a common ownership of land. Royalists, incensed by confiscation and proscription, formed a standing conspiracy against the government. Anti-Trinitarians were attacking the Trinity, and Trinitarians were wanting to persecute them. Thomas Hobbes, looking on, was inspired with the idea of his "Leviathan," a brazen despotism which should impose peace upon the savage beasts by absolute extinction of liberty, religious as well as political, leaving no freedom anywhere except in the secret sanctuary of thought.

To transfer the government from a party to a national basis on the morrow of the civil war and with the passions of the war still glowing was an arduous task. In undertaking it Cromwell had against him his personal position as the chief of a party, or of something narrower than a party; for the republicans would be opposed to him and he had increased their estrangement by the insulting vio-

lence with which he had turned out the Long Parliament. He had against him all the envies and jealousies which beset a new man raised above his fellows. He had against him the hatred, strong in a constitutional nation, of military government, to which for the time he was driven, as well as the unpopularity of the taxation which maintenance of a standing army involved. He had against him the odium of regicide, which in the eyes of royalists exposed him to assassination as well as to rebellion, and in the eyes even of such a royalist as Clarendon made killing no murder. For him, he had the desire of peace and of a return to settled industry, which was sure to be strong in the nation at large; the negative good will of the vanquished to whom he held out amnesty; the divisions among his opponents, which were such that it was scarcely possible for them to act in concert. He had his own supreme ability, a temperament which never knew despair, a fortitude sustained, it cannot be doubted, by strong and sincere religion, a knowledge of men gained by the widest experience both at the council board and the camp-fire side. The army, though adverse in sentiment to anything like a restoration of monarchy, was bound to its chief by the spell of victory, and so long as it obeyed him his government could not be overturned.

From civil war to law and liberty a nation cannot pass at a bound. There must be an interval during which the new government will need to be upheld partly by force. Cromwell saw the limits of political necessity. "When matters of necessity come," he said, "then without guilt extraordinary remedies may be applied, but if necessity be pretended there is so much the more sin." He does not seem to have swerved much from this rule.

"But thou, the War's and Fortune's son,
March indefatigably on;
And for the last effect,
Still keep the sword erect.

"Beside the force it has to fright
The spirits of the shady night,
The same arts that did gain
A power, must it maintain."

Had Andrew Marvell qualified the last words so as to limit them to the transition, these lines would have been true.

Cromwell's first step, after turning out the Parliament, showed that his object was not military despotism. It was taken by him expressly "to divest the sword of all power in the civil administration." In concert with a council of officers which he had formed for himself he
1653 called a convention consisting of a hundred and forty Puritan nobles, a hundred and twenty-nine of them chosen from different counties of England and Wales on the recommendation of the local Puritan churches, with five to represent Scotland and six to represent Ireland; and put the state for re-settlement into its hands. The qualification being religious and moral, though politicians and soldiers who had little of the saint about them were included, the measure may be regarded as a very cautious trial of the scheme of government by the saints.

This assembly seems to have been fairly composed so far as the narrow exigencies of party would permit, and entirely respectable, though from Praise-God Barbone, one of its leading members, scoffers nicknamed it the Barebones Parliament. Nor is there any reason for supposing that Cromwell's object in calling it was other

than he proposed. The design ascribed to him of discrediting, by an exhibition of their fanaticism and incompetence, the leading men of a party which he meant to betray, was too deep even for so profound a plotter as Cromwell was imagined by his enemies to be.

The Little Parliament, as it is more respectfully called, went to work in a way which shows that it was no mere assembly of wild enthusiasts clearing the way by the destruction of law, learning, and civil society for a reign of the saints. It organized itself in eleven committees; for the reform of the law; for the reform of the prisons; for the reform of the finances and the lightening of the taxes; for Ireland; for Scotland; for the army; for petitions; for public debts; for the regulation of commissions of the peace, and the reform of the poor law; for the advancement of trade; for the advancement of learning. Among its proceedings we find measures for the care of lunatics and idiots, for the regular performance of marriages, and the registration of births and deaths, for probate of wills in all counties, and for law reforms. The law reforms pointed not only to a speedier and cheaper administration of justice but to the preparation of a simple and intelligible code of law. This is a programme of modern and now approved legislation. But the Little Parliament lacked both authority and prudence for the settlement of the nation. It appears that the assembly was pretty equally divided between two parties, radical and conservative; that the radical party had slightly the majority and wished to go further and faster than Cromwell desired or circumstances would bear. No one could be more bent than Cromwell on rational reform of the law. But he did not dream of the law of

Moses, and he had to keep terms with a powerful profession. Although the court of chancery cried aloud for reform, total abolition was too much as a first step. That, however, which probably determined Cromwell to bring the sittings of the Little Parliament to a close was a vote which showed that the majority was in favour of abolishing public provision for the clergy and thus putting an end to the existence of a national church. Cromwell had convinced himself that a national church, with a public provision for its clergy, was essential to the maintenance and propagation of the Gospel, the objects always foremost in his mind, while he was ready for the largest toleration and the most drastic measure of
1653 church reform. The Little Parliament was dismissed with decency under the appearance of dissolving itself. Cromwell seems to have become conscious of the mistake which he had made in his manner of turning out the Long Parliament, for in his first speech to the Little Parliament he apologized for the act. "I speak here, in the presence of some that were at the closure of our consultations, and, as before the Lord — the thinking of an act of violence was to us worse than any battle that ever we were in or that could be, to the utmost hazard of our lives; so willing were we, even very tender and desirous, if possible, that these men might quit their places with honour."

Our accounts of these events are imperfect, and mystery hangs over the episode of the Barebones Parliament. With what special object was this assembly summoned? Was it permanently to take the place of the national legislature? For this it was manifestly unfit. Was it intended to frame a constitution? So the writ summoning

it seems to import, yet to this work it never put its hand. It may have been an experiment pressed on Cromwell by the council of officers, of whom Harrison was one, rather than the offspring of his own policy. At all events the reign of the saints had been tried in the most guarded manner and had failed.

Cromwell's council of soldiers and civilians now proceeded in the light of the political discussions which had been going on, and of which Ireton's Agreement of the People was the most notable outcome, to frame a constitution for the Commonwealth of England, Ireland, and 1653
Scotland. Cromwell protests that he was not privy to the consultations, but the result clearly bears the impress of his mind. The Instrument of Government is the first written constitution for a nation of modern times, the only written constitution which England has ever had. It may still deserve study at a time when popular, party, and demagogic government appears to be everywhere on its trial. In contrast at once to Harrison's reign of the saints, and to Lilburne's government by the people, the Instrument follows the main lines of the old constitution, substituting, though perhaps provisionally, the elective for the hereditary headship.

In place of the king the chief of the executive is a Protector, to be elected for life by the council of state, which shares with him the executive power. He is the head and representative of the nation, the captain-general of its forces, the source of magistracy, and the fountain of honour. In his name all writs and commissions run. With his council, he has the power of peace and war; but in case of war parliament is at once to be called. The Protector, like the king, nominates the great officers of

state; but his nominations of the chancellor, the treasurer, the chief justices and the governors of Scotland and Ireland, must be approved by parliament.

In place of the privy council nominated by the king at his pleasure is a council of state, in number not less than thirteen or more than twenty-one, vacancies in which are to be filled by a mixed process, parliament designating six persons of integrity, ability, and fearing God; the council, of these six, choosing two; and the Protector, of these two, choosing one.

The parliament is a single elective house. It has the entire power of legislation and taxation, to the Protector being reserved only a suspensive veto on legislation for twenty days. It must be called once at least in every three years, as the Triennial Act had prescribed, and sit for five months. It is to be elected on a reformed footing, the petty boroughs being disfranchised, the franchise being transferred from them to large towns, more members being given to the counties, and the franchise being extended from freehold to all property, real or personal, including copyhold and leasehold, of the value of two hundred pounds; a conservative qualification in those days. Special borough franchises seem not to have been abolished. The general result would be a constituency largely yeoman and middle-class. Clarendon speaks of the reform as one fit to be made more warrantably and in a better time. To estimate its value we have only to consider what was done in the next two centuries by the rotten boroughs. The representation of Scotland and Ireland was to be regulated by the Protector and the council. Excluded from voting were all Roman Catholics, all who had made war on the parliament, unless they

had since given proof of their good affection, and all who had taken part in the Irish rebellion. Cromwell would no doubt have treated peacable acquiescence as sufficient proof of good affection.

The command of the forces had been the final bone of contention between Charles and the parliament. The Instrument gives it to the Protector with parliament, if parliament is sitting; if parliament is not sitting, to the Protector with the council.

The Christian religion contained in the Scriptures, that is to say, Puritanism, is professed by the nation. The established church and the national clergy are retained, but a provision less objectionable than tithe is to be made for the clergy. There is to be full liberty outside the establishment for all such as profess faith in God by Jesus Christ, so long as they abuse not this liberty to the civil injury of others or the disturbance of the public peace; and all laws and ordinances contrary to that liberty are to be null and void. The liberty, however, is not to extend to popery or prelacy, nor to the preaching or practice of licentiousness under the profession of Christ.

Cutting right athwart the constitutional principles of the Instrument is an enactment dictated by dire necessity and laying bare the foundation of the Protectorate. Provision is made irrespectively of the authority of parliament for a constant yearly revenue to maintain an army of thirty thousand men.

Three articles Cromwell treated as fundamental; government by a single person and parliament, toleration, and the settlement of the army.

Lacking to this written constitution are a power of

interpretation and a power of amendment. But the power of amendment was subsequently exercised by parliament, with the consent of the Protector.

Oliver Cromwell was to be the first Protector, and the Instrument named for the first term the members of the council of state, which included the chiefs, military and political, of the Commonwealth party. The Protector and council are empowered to legislate provisionally by ordinance till the parliament meets.

This constitution, launched on stormy waters and tempest-tossed from the outset, was never fairly tried. But under it, had it taken effect, government would apparently have been national; party at least, could hardly have reigned; cabal and intrigue, the workings of personal ambition, no constitution can exclude. The Protector is not an autocrat; he must carry his council with him. Public opinion acts on government through a parliament elected by the people, which in its turn takes part in the election of the members of council who elect the Protector, and, when sitting, divides with the Protector the control of the forces, besides approving the appointment of the great officers of state. The members of the council of state, unlike the members of the American administration, may sit in parliament, as the whole of Cromwell's first council did; and they would answer for the policy of the government there. Thus authority, stability, and continuity would, if the constitution worked as its framers desired, be reconciled with the just and settled influence of national opinion.

1653 The Protector was installed with moderate state, and during the next five months freely exercised the power of provisional legislation reserved to him in the Instrument,

developing in fact by a series of ordinances his policy in all departments, civil, religious, diplomatic, and moral, including the union of the Kingdoms, or Commonwealths 1654
as they are now to be called.

He then opened his first parliament with a speech 1654
which stamped the Protectorate as conservative and its policy as that of maintaining a national church and protecting civilized society against the Fifth Monarchy and the Levellers. He was able to announce an honourable and advantageous peace with Holland, peace with Portugal, and good relations with Sweden and Denmark, the protestant powers of the north. "Blessed be God," he said, "we see here this day a free parliament, and that it may continue so I hope is in the heart of every good man of England; for my own part, as I desired it above my life, so to keep it free I shall value it above my life." This, he afterwards said, was the hopefullest day his eyes ever saw. That the parliament had been freely elected within the widest limits of loyalty to the Commonwealth was at once shown by the appearance of a formidable opposition, composed partly of irreconcilable republicans, partly of Presbyterians, anti-republicans at heart and mortal enemies to Cromwell's policy of toleration. Instead of proceeding to business, the Presbyterians and the irreconcilable republicans combined fell to overhauling the Instrument of Government and questioning the right of the Protector. The answer to their questionings was that, if they wanted divine right, Heaven, by Cromwell's hands, had saved them all; and if they wanted human right, it was by virtue of his writ that they were there. The writ bore on the face of it an engagement not to disturb the government as settled in a single person and

1654 a parliament. It became necessary to put to each member a test re-affirming the obligation of the writ, which was taken by about three hundred of the four hundred members in attendance, while it was refused by the rest. The Presbyterians having, as Cromwell said, since they had ceased to be oppressed by the bishops, become themselves the greatest oppressors, ever bent on persecution, and alarmed by the growth of strange sects, strove to limit the toleration secured to Christian sectaries under the Instru-
1654 ment. They pounced upon Biddle, a Socinian, and would evidently have dealt with him in the spirit of their atrocious enactment under the Long Parliament, had not the Protector snatched him from their fangs and sent him off to kind confinement in the Scilly Islands. The coalized oppositions had thus assailed two of the Protector's three fundamentals. It seems that they assailed the third fundamental, the settlement and control of the army, at least by withholding supplies, which drove the army to free quarters and endangered its subordination. The Protector expostulated with fervour. At length, weary of the fractiousness of the parliament and of its waste of time,
1655 he called it before him in the Painted Chamber, and after another long speech of expostulation pronounced its dissolution. He could say with truth that he had allowed it to deal freely with everything but the foundations of his government. To allow these to be subverted would have been to throw the nation back into the vortex of confusion from which it had just emerged.

There was now a recurrence to unparliamentary government, legislation by ordinance, and what, without paramount necessity, would be justly branded as arbitrary rule. It must be borne in mind, however, that Cromwell

was not a despot. He had always to carry with him his council of state, and such men as Lambert, Fleetwood, Desborough, Montague, Lisle, and Skippon were not likely to be ciphers. If his policy ever wavers, deference to the council may, as has been suggested, have been the cause.

Against the payment of customs duties imposed by ordinance in council a legal protest was made by a merchant named Cony, who, if the question had been decided in his favour, would have broken up the army, and with the army the government. He was silenced, apparently not in the most regular way. Such are the incidents of revolutions, and they are reasons for avoiding revolutions and making the past as far as possible slide quietly into the future.

It may well be that military command had made Cromwell somewhat arbitrary, and that his dizzy elevation had not been without effect even upon that strong head. But if it was by force that he upheld his tottering government, it was in something other than force that he strove to give it root. "I perceived," says Baxter, an adverse and unexceptionable witness, "that it was Cromwell's design to do good in the main and to promote the Gospel and the interest of godliness, more than any one had done before him; except in those particulars which his own interest was against: and it was the principal means that henceforward he trusted to for his own establishment, even by doing good: that the people might love him, or at least be willing to have his government for that good, who were against it, as it was usurpation." "Some men," says Baxter, "thought it a very hard question, whether they should rather wish the continuance of an usurper who

would do good, or the restitution of a rightful governor whose followers would do hurt." We may be sure that an increasing number chose the first horn of the dilemma. Algernon Sidney, no uncritical judge, said that the Protector had very just notions of liberty. Milton, though he uttered some anxious words of warning, remained steadily Oliverian. The question is, whether the man was tending and working towards the restoration of constitutional liberty or away from it. Milton must have thought he was tending and working towards it. What Milton might have thought had his hero put on the crown we cannot tell.

Cromwell had told the parliament that by quarrelling with the government it was nursing conspiracy. The truth of his words was proved by a rising of the royal-
1655 ists in the north and west; in the west under Penruddock on a serious scale. This was put down with vigour, and the royalists rose no more. But there was never an end of plotting against the Protector's life by royalists, irreconcilable republicans, Fifth Monarchy men, or all combined. Hume says Cromwell's nerve was shaken, but he has embellished a passage in the work of Dr. Bate, court physician to Charles II. Cromwell took precautions, of which the author of "Killing no Murder" told him, and Gerard and Vowel showed him, he had need. But there is no reason to believe that the fear of assassination, unmanning as it usually is, shook his nerve or affected his policy. It certainly never overcame his clemency. Of the forty men arrested for the murder plot of Vowel and
1654 Gerard only two suffered; only two suffered for Slingby's plot to deliver Hull to the Spaniards and give up London to fire and blood. For the rising of the royalists under

Penruddock, though a number were transported, few were put to death. Ormonde, Cromwell's most formidable as well as most respectable opponent, came to London in disguise to organize conspiracy. His presence was detected. Cromwell took Lord Broghill, Ormonde's former associate, aside and said, "If you wish to do a kindness to an old friend; Ormonde is in London, warn him to be gone."

It was after the royalist rising of Penruddock in the 1655
west that Cromwell had recourse to the appointment of major-generals, district commanders empowered, each in his province, to keep order, organize the defensive forces, disarm rebellion, and apply the moral code of the Protectorate. To these administrative duties was added the more odious and arduous task of collecting the income tax of ten per cent., which, after the risings in the north and west, the Protector determined to levy upon the Cavaliers. An exceptional tax laid on a political party could be reconciled with the Act of amnesty only on the strained hypothesis that the whole party had been morally implicated in the insurrection. It could not fail to perpetuate and embitter a division, which it was the object of a healing policy to efface. The major-generals seem to have done their unpopular duty well. Yet Cromwell felt that the experiment was a failure and allowed it, when parliament met, to be voted down.

With his royalist enemies the Protector dealt firmly yet mercifully. With old republican friends, estranged from him and plotting or acting against him, such as Harrison, Ludlow, and Overton, he dealt tenderly, never inflicting on them anything worse than temporary restraint or dismissal from the service. Nor did he hurt their consciences by the imposition of any test or oath.

Necessity compelled Cromwell to interfere in some degree with the ordinary course of justice. Lilburne,
1653 who came over from the continent on his usual mission of unsettlement, having been acquitted by a sympathizing jury, was sent back to prison after his acquittal, probably for his own good. He was presently liberated, and, his fire as an incendiary having burnt out, died a
1657 Quaker and in peace. Conspirators in assassination plots were sent before a high court of justice, consisting of the judges, with some officers of state and a number of other commissioners, which sat in Westminster Hall, proceeded according to the forms of law, and, unless the subversion of the government and the assassination of its head were no crime, shed not a drop of innocent blood.

1655 One ordinance restrained the publication of news; an-
1655 other, towards the end of the Protectorate, established a censorship of the press. But it does not appear that the first ordinance practically went, or that the second was intended to go, beyond the actual necessities of police. Even a government after Milton's own heart could not have permitted the circulation of "Killing no Murder," or of what purported to be a royal proclamation promising rewards for the assassination of the Protector by pistol, sword, or poison. Tracts very hostile to the Protector and his government were allowed to circulate with freedom.

Triumphant over royalist rebellion, successful in diplomacy and war, Cromwell, after seventeen months of per-
1656 sonal government, ventured again to call a parliament. This time nothing was to be risked. The known malcontents, about ninety in number, were from the first excluded. The exclusion, though veiled under a legal

form, was an act of arbitrary power. The justification for it was that if these members had been allowed to take their seats they would have done their best to overturn the government; that if they had overturned the government, they would have brought in, not the republic, of which Vane dreamed, nor the reign of the saints, of which Harrison dreamed, nor the Covenanting king and the Calvinistic church, of which the Presbyterians dreamed, but the Stuarts; and that if they had brought in the Stuarts they would have annulled the revolution, wrecked the cause, and, if they were regicides, have set their own heads, as some of them ultimately did, on Temple Bar.

After the exclusion, the parliament still numbered some three hundred and sixty members, friendly in the main. A decisive moment had now arrived. A long train of waggons was bearing through London streets the golden spoils and trophies of Blake's victories over Spain. A poet was writing,

> "Let the brave generals divide the bough,
> Our great Protector hath such wreaths enow;
> His conquering head has no more room for bays;
> Then let it be as the glad nation prays,
> Let the rich ore forthwith be melted down,
> And the State fixed by making him a crown;
> With ermine clad and purple, let him hold
> A royal sceptre made of Spanish gold."

The time seemed to conservatives, probably to Cromwell himself, to have come for completing the restoration of the old political constitution by reviving the hereditary monarchy and the House of Lords. The Protector was 1657
invited by the parliament to take upon him the government by the title of king.

Then followed the most anxious deliberation in Cromwell's life, a deliberation not the less anxious because in familiar consultation with his friends his anxiety sometimes disguised itself in levity. He spoke himself of royalty with indifference as a feather in the cap, a shining bauble to dazzle the kneeling crowd. It is not incredible that a man who has done great things in a great cause may, by the grace of Heaven, keep his heart above tinsel. But in the frame of mind in which the nation then was, the title of king might, apart from any love of tinsel, seem essential to the policy of reconstruction. The people, as they then were, mostly craved for it. The lawyers, as their formularies were identified with it, fancied that they could not get on without it. It was constitutional, while the title of Protector was revolutionary; it indemnified, under the statute of Henry VII., persons adhering to a king in possession, while the title of Protector technically did not. There cannot be any doubt that Cromwell himself was minded to accept it. But the stern republicans of the army were resolved against monarchy. It was not for a king that they had faced death on the field of battle. To their opposition Cromwell yielded. Probably he not only yielded to it, but respected it. To be turned from his course by fear, it has been truly said, was not a weakness to which he was prone. But ardent, sanguine, full of resources as he was, he was the victim of no illusions. He knew the difference between the difficult and the impossible. He faced difficulty without fear, he recognized impossibility without repining, and turned his mind steadily towards the future.

So it was decided that Cromwell should not mingle with the crowd of kings; that he should wear no crown but

Worcester's laureate wreath, and the laureate wreath of Milton's verse. His monarchy would not have been a Stuart monarchy. It would have been a constitutional and protestant monarchy, with parliamentary legislation, parliamentary taxation, reform of the electorate, an enlightened and vigorous administrative, the service of the state open to merit, law reform, church reform, university reform, the union, political and commercial, of the three kingdoms, Ireland settled, the headship of the protestant interest in Europe, and a large, though not full, measure of liberty of conscience. Such it would have been while its founder lived. After him would have come a dynasty with dynastic infirmities and accidents. But this dynasty would have been bound, as a manifest emanation from the national will, by pledges even stronger than those which bound the line of Hanover to constitutional government. Nor could it have restored prelacy.

Part of the policy of restoration, however, was carried into effect by the set of enactments called the Humble Petition and Advice, to which the Protector gave his 1657
assent. Instead of an elective Protectorate, Cromwell was empowered to nominate his successor. The Upper House of Parliament was revived. It was to consist of not more than seventy or less than forty members, to be nominated by the Protector with the approval of parliament. The constitution in some minor particulars was more strictly defined; it received for the first time as a whole the sanction of parliament, which was extended to the series of ordinances made under the Instrument of Government by the Protector in council at the time when parliament was not sitting. Thus all was placed upon a legal basis.

1657 To mark the legal commencement of his power, the Protector was installed with greater solemnity than before and with ceremonies more resembling a coronation. An account of the pageant is given us by Whitelock, who, though no lover of Cromwell, seems to have been impressed. In Westminster Hall, under a canopy, was placed a chair of state upon an ascent of two degrees; down the hall were seats for parliament, the dignitaries of the law, the mayor and aldermen of London. Thither on the twenty-sixth of June, 1657, went the Protector with his council of state, his ministers, gentlemen, sergeants-at-arms, officers, and heralds. His Highness, standing under the canopy of state, the Speaker, in the name of the parliament, put on him 'the robe of purple lined with ermine,' delivered to him the Bible, richly gilt and bossed, girt on him the sword of state, and put a golden sceptre into his hands. Only the crown was wanting. The Speaker then gave him the oath to observe the constitution, with good wishes for the prosperity of his government. The chaplain next by prayer recommended the Protector, the parliament, the council, the forces by land and sea, the whole government and people of the three nations to the blessing and protection of God. Then the people gave a shout and the trumpets sounded. The Protector took his seat in the chair of state, with the ambassadors of the friendly nations and the high officers of the Protectorate round him, and, as he did so, the trumpets sounded again, heralds proclaimed the title of his Highness, and the people shouted once more, "God save the Lord Protector." At the gorgeous coronation of Napoleon, someone asked the republican general Augereau, whether anything was wanting to the splendour of the

scene. "Nothing," replied Augereau, "but the half million of men who died to do away with all this." There was not much in Cromwell's installation to do away with which any man had died. The pageantry was solemn and symbolic, without tinsel or outworn forms.

More state, however, after this legal inauguration was observed in the Protector's household and about his person. His family was treated as half royal; the title of Lord was given to his chief officers. He conferred baronetcies, hereditary honours, as well as knighthood. He made two peers. It is pretty clear that the restoration of hereditary monarchy, though in a constitutional form, and of an hereditary peerage, was still in his mind. Had he succeeded, there would have been an anticipative 1688 with a reformed House of Commons and a Puritan instead of an Anglican church establishment.

This parliament wasted time and violated one of the 1656
fundamentals by the persecution of Naylor, a fanatic. But it voted supplies, and on the whole during its first session acted cordially with the Protector. Hope dawned on the enterprise. But the dawn was once more overcast. When parliament met again after the recess it was with 1658
the excluded members restored to their seats and with an upper House. The upper House was a false move and a failure. The selection of the members had been good, and the response to the writs was on the whole satisfactory, though of the old nobility who had been summoned most refused seats beside Cromwellian generals who had once been mechanics, while Manchester, as Cromwell's old enemy, was sure to decline. Yet the arrangement would not work. The Protector said that he wanted something to stand between him and the lower House, his direct con-

tests with which were no doubt laying a heavy strain upon his government. But to make up the House of Lords he had been compelled to take many of his supporters from the House where the great battle of supplies was to be fought, and he had thus probably broken up the lead for the government there. The consequence was that the lower House fell foul of the upper, and the ship became unmanageable once more. In vain the Protector addressed to the Commons a long and earnest expostulation. Haselrig, Scott, and the other irreconcilable republicans, having the upper hand in the Commons, meant mischief and were not to be soothed. At length the Protector had to dissolve the parliament with thunder in his tone. "If this be the end of your sitting and this be your carriage, I think it high time that an end be put
1658 to your sitting. And I do dissolve this parliament. And let God be judge between you and me."

In these contests with refractory parliaments the soldier and statesman had to play the part of an orator. He was too old to learn a new art. He did not prepare his speeches; and when he was asked to write out one of them a few days after it had been delivered, he declared that he could not remember a word of it. Clumsier or more uncouth compositions than the reports which have come down to us the records of oratory do not contain. We can understand the contempt expressed for them by a polished sceptic like Hume. The grammar is hopeless, the confusions of metaphor are grotesque. We have God "kindling a seed"; the Lord "pouring the nation from vessel to vessel till he poured it into your lap"; God "bringing people to the edge of Canaan and enabling them to lay the topstone to their work." The last and

most illustrious editor only provokes our criticism by his running commentary of devout ejaculations. But the speeches are not king's speeches. There runs through them all a strong though turbid current of thought. They are the utterances of one who sees his object clearly, presses towards it earnestly, and struggles to bear forward in the same course the reluctant wills and wavering minds of other men. The great features of the situation, the great principles on which the speaker was acting, are brought out, as Guizot says, with a breadth and force which are strong proof of statesmanlike intellect, perhaps not a small proof of good faith. He pleaded to deaf ears. It is vain to rail at those who refused to listen to him, and thwarted him to the end. They were not great men. They were contending, many of them at least, in singleness of heart for what they believed to be the good cause. They might say with truth that Cromwell had changed; that the language of the head of the state was not that of a soldier of the revolution; that his mind had grown broader; that his vision had been purged, since he had risen to a higher point of view and to clearer air; and as he had changed, they might represent him to themselves as a renegade. Such partings there are in all revolutions. Nor is it unlikely that Cromwell, satisfied of the necessity of his measures, and conscious of the goodness of his motives, may have carried matters with too high a hand and shown too little respect for old associations and for opinions with which he had once expressed sympathy, if they had not been in some degree his own. Respect is always due to those who struggle for law and liberty against what they believe to be lawless power. Yet these men were paving the way for the restoration of the Stuarts.

When the necessary supplies could not be obtained from parliament, the Protector was compelled to levy the old taxes by ordinance in council. But he did this with reluctance and with a manifest desire to return to parliamentary taxation as well as to parliamentary government in other respects. The spoils of Spanish galleons captured by Blake helped his treasury for a time. Still his great difficulty was finance. He was rolling up debt while the pay of his soldiers was in arrear. It does not appear that he ever thought of funding the debt, which besides relieving him of the financial pressure would have bound the public creditor and commerce in general by a strong tie to his government. There was, at all events, no waste or corruption. The Protector offered to lay the financial administration open to the most rigorous inspection. He was not afraid, he said, on that score to face the nation. He was ready to do anything except to allow the government to be overturned; rather than that, he said, he would be rolled with infamy into his grave.

1656–1657

Amidst all his difficulties, parliamentary or financial, through all his struggles with rebellion or conspiracy, the great objects of Cromwell's national policy were steadily pursued. On what he deemed a right settlement of the church above all things he had set his heart. His policy was not, like that of Milton and the thorough-going Independents, disestablishment, but comprehension, with a complete outside toleration of all tolerable opinions, that is, of all except popery, prelacy, and such as were revolutionary or immoral. In London, Lancashire, and less perfectly elsewhere Presbyterianism had been organized and the Protector left it; otherwise congregationalism seems to have been practically the rule, with no

small diversity of creeds among the ministers, Baptists who did not object to an establishment being included. For that day a great stride was made if men who differed about infant baptism could own a common Christianity and worship side by side. Within the protestant pale the clerical test was to be character rather than creed. The commissioners appointed under the Protectorate to weed and recruit the church on that principle appear, on the whole, to have done their work well. They deprived Pocock, the great orientalist, but this mistake was set right. The anti-Cromwellian Baxter at least admits that the commission put in able and serious preachers who lived a godly life, of what tolerable opinions soever they were, so that many thousands of souls blessed God. Of the ejections, he says, six out of seven were not for opinion or on political grounds, but for insufficiency or scandalous conduct. Anglicans were left in their livings if they would forego the use of the Anglican ritual. Thus the protestants reaped the religious fruits of the revolution. The parish system and even patronage remained undisturbed. Some better mode of payment than tithe was contemplated. But with that thorny question the Protector did not find time in his short reign to deal.

Papists and prelatists were still excluded from toleration. Prelatists, however, were generally unmolested and allowed to hear Jeremy Taylor in peace. Once, after a great royalist rising, a fierce ordinance was launched 1655
against the ejected Episcopalian clergymen, who would probably be active in fomenting disturbance; but it seems that it was intended only to intimidate, and that there were no prosecutions. There is reason to believe that Cromwell himself was not disinclined to unprelatical

episcopacy. He honoured Bishop Usher and gave two hundred pounds for the bishop's funeral. Wilkins, who married his sister, was afterwards a bishop. Prelatists were not, like papists, excluded from the franchise by the Instrument of Government. Papists, popish priests at least, Cromwell could not venture openly to tolerate. But he could truly tell Mazarin that he dealt mercifully with them, nor did he ever rack conscience.

Sectaries Cromwell protected as far as he dared. Biddle the Socinian he had rescued from the first parliament; Naylor he tried to rescue from the second parliament, which showed its temper by sentencing a delirious but harmless fanatic to be whipped, branded, have his tongue bored with a hot iron, ride a bare-backed horse, and be imprisoned during the parliament's pleasure. In the controversy between Cromwell and his parliaments, there can be no doubt which was the side of religious freedom. Quakers in those days were not all of them peaceful children of the inner light; some of them were aggressive, interrupted the worship in the "steeple-houses," insulted the preachers, and offended public decency by going about naked and proclaiming woe upon the realm. Cromwell had to leave disorder to be dealt with by the magistrates. But he liked to commune with such enthusiasts as George Fox. This may have been partly his policy. Yet it seems possible that, much as his intellect had grown and his worldly wisdom had increased, he may have in some degree retained his simplicity, and have remained open even to fanatical preaching of the doctrine which had been to him in early days, the spring of spiritual life. He tried to procure a legal re-admission of the Jews to England, whence they had beeen excluded since the time of Edward I.,

and, failing in this, himself opened the door to individual Jewish immigrants. He, of course, devoutly believed in the people of the old covenant, and understood as little as others the Talmudic Judaism with which he had in fact to deal or its probable working as a parasitic growth on the tree of national life.

The years of Cromwell's rule over Scotland, as Burnet, a Scotchman and not a Cromwellian, says, were reckoned years of great prosperity. This, free trade with England, never before enjoyed, nor for half a century to be enjoyed again, would in itself be enough to secure. Baillie, the staunchest and narrowest of Presbyterians, corroborates the statement of Burnet in regard to Glasgow, where he lived. Scottish society, after wars between factions, between sections and sub-sections of factions, was, not less than that of England, in need of a constable. In Scotland the constable was Cromwell's vice-gerent, General Monck, who, while he was ready to serve anybody, as in the sequel he showed, served everybody well. Monck proclaimed the Protectorate with promises of freedom of trade with England; fair measure to Scotland in apportioning taxation; abolition of all tenures implying vassalage and servitude; liberation from feudal services; and popular courts baron in place of heritable jurisdictions. He seems to have kept good order without giving much cause for complaint of military rule. His arms carried law into the Highlands, whither the Scotch government had never been strong enough to carry it. The wild Highlander was bridled with forts for his own good. Lord Broghill, who for a time presided over the administration, seems likewise to have done well and even to have won golden opinions. Cromwell formed a plan for carrying

Christianity as well as law into the Highlands, which had hitherto been heathen. The yoke of a most oppressive aristocracy was broken, and law reigned in its place. Justice was dispensed by judges, some of them English, of whom a Scottish jobber plaintively spoke as "kinless loons." Without family connections to guide their judgments, they gave satisfaction to the kinless. For the kinless altogether it was a good time. "The meaner sort in Scotland," an English official could say, "live as well and are like to come into as thriving a condition as when they were under their own great lords, who made them work for their living no better than the peasants of France." A middle class began to raise its salutary head. Independent soldiers sometimes took the word of God out of the mouth of his minister; sometimes they sat in derision on the stool of repentance; one of them, at least, guided a Scottish maiden in ways which did not lead to heaven, and with the partner of his offence was severely punished. But on the whole their discipline seems to have been excellent. Released for the time alike from the tyranny of the prelates and from the tyranny of the Kirk, the Scottish mind enjoyed a spell of freedom of which it appears to have taken advantage, it might be in somewhat erratic ways. Strong Presbyterians, moreover, complained that the English were slack in their persecution of witches. Scotch patriotism is represented by recent writers as having resolutely rebelled against union and brooded over the memory of Bannockburn. But where is the proof of this? Do we not now in these days of historical revival think more of Bannockburn than did the people of those times? "All this prodigious mutation and transformation had been submitted to with the same

resignation and obedience, as if the same had been transmitted by an uninterrupted succession from king Fergus: and it might well be a question, whether the generality of the nation was not better contented with it, than to return into the old road of subjection." So says Clarendon when by the Stuart Restoration the union with Scotland is being repealed.

That Cromwell wanted to extirpate the Irish people is false. It is true that he wanted to extirpate Irishry. He wanted, that is, to root out the lawlessness, turbulence, and thriftlessness which were the faults or rather the misfortunes of the Celt, and to plant English law, order, industry, and prosperity in their room. The catholic Celts in 1641 had attempted to extirpate the protestant Saxons. Having been beaten after a struggle of hideous atrocity, they forfeited to the victors the ownership of a great part of their land, which was divided among adventurers who had advanced money for the war, and soldiers who had received land scrip as their pay. This was the fell outcome of a strife perennially waged between the races for the land. It was not Cromwell's doing, though he accepted it when it was done. To take the land from the victor and restore it to the vanquished, had such been his desire, would have been utterly beyond his power. Besides, what was he to do with the victorious race? Eject it from the island? Otherwise must there not have been a perpetually renewed war of race? It was evidently the desire of the Protector to rule Ireland for her good, as he understood it, that is by making her a second England in order and industry. When he was in command there he had shown himself determined to protect the common people if they would be quiet

and obey the laws. Land-owners and priests who had led rebellion and massacre it was out of his power, even if he wished it, to protect. In his manifestoes he addressed the Irish not as though they were Canaanites or noxious savages, but in the language of earnest and benevolent expostulation. He got as many of those who had taken an active part in the rebellion as he could out of the way, at the same time ridding the island of turbulence and brigandage, by his encouragement of military emigration. Destitute women and children unhappily were left, of whom some hundreds were shipped to the West Indies, a horrible termination of a long train of horrors. In keeping up the proportion between the sexes in the colonies Cromwell was wise.

It is said that Cromwell ought to have recognized Irish nationality, and based on it his policy of reconstruction. How could he recognize that which did not exist? The Celts of Ireland were not a nation, but the wreckage of dissolved clans. Their only bond of union besides race was a religion, the priests of which had been the most active leaders of the rebellion, with a papal nuncio at their head to show that they were the liegemen of a foreign power. Could Cromwell build civilization on tribalism, industry on lethargy, order on lawlessness, however fascinating and picturesque? Had his policy been maintained, the Celt, in three out of the four provinces, would have been for a time the labourer, with the Saxon proprietor for his master, and would thus have received a training in industry of which he otherwise had little chance. Nor could any Saxon master be more oppressive and insolent than the loafing and coshering gentleman who represented the old Celtic chief. The Mass, Crom-

well plainly told the Irish, would not be suffered. But he declared that he meddled with no man's conscience. Evidently he did not want to meddle more than he could help with any man's form of worship. Nor is it likely that Mass ceased to be performed. The Protector gave Ireland the best chance of peace and justice by a legislative union with England which brought both her races and both her religions under the broad ægis of imperial rule. He gave her deliverance from the alien Establishment. He gave her the inestimable boon of free trade with England. He sent her good government in the person of his son Henry, who showed himself on the side of mercy and toleration. He sent her justice such as she had rarely before known, in the person of his chief justice, Cooke. He regarded her, to use his own phrase, as a blank paper, open for the trial of measures of law reform to which, in England, vested interests were insuperably opposed. That she prospered under him there can be no doubt. Clarendon, an adverse witness, testifies to the marvellous growth of buildings, not only for use but for beauty, of plantations, and other signs of material improvement. Had Oliver lived longer, or left heirs of his policy, Ireland, three parts of it at least, might have been as Ulster, and the Irish problem would, in one way at all events, have been solved. Of the disasters and horrors which followed the dissolution of the union; of the government of Ireland as a dependency by crown influence and corruption; of the restoration of the alien church with its bloated uselessness and its tithe-proctors; of the fatal shackles laid on Irish trade and industry; of the rekindling of the fires of enmity between the races and religions under James II.; of the outpouring of pro-

testant vengeance in penal legislation against the catholics which ensued, the blame rests, not on the Protector, but on those by whom his work was undone. The restrictions afterwards laid on Irish trade and industry by the commercial jealousy of England were fully as great a source of mischief as anything else, and these would have been precluded by the union.

Not least among the objects of the Protector's policy was law reform. Had not professional prejudice stood in the way, had not the sons of Zeruiah, to use his own phrase, been too strong for him, he would have put an end to the delays of the court of chancery and to the absurd or iniquitous mysteries of technical law. What he was debarred from doing in England he did in Ireland, where the despatch of causes by his chief justice put to shame the dilatoriness of the English courts. He would also have revised the criminal law in the light of humanity. Though never theoretically a democrat, and now half a king, he was still a man of the people, and a friend of justice to the poor. It was a scandalous thing, he said, that a man should be hanged for a theft of twelvepence or sixpence, when greater crimes went unpunished. Had he succeeded, the savage multiplication of capital offences which dyed the code of the next century with blood might have been averted, and the work of Romilly might have been forestalled. The Protector's power was used for popular purposes though concentrated in a strong hand.

1655 Commerce was strenuously fostered. A committee of trade was formed, and Whitelock, who was one of the members, tells us that this was an object on which the Protector's heart was greatly set. To open up trade, as

well as to form a protestant league, treaties were made with the northern powers. The treaty with Denmark opened the Sound. There was free trade with Scotland and Ireland. Cromwell may, therefore, rank among the free traders. He believed in the navigation laws, but so did Adam Smith; and, in truth, the navigation laws, though rightly repealed in our time, appear, as a measure of national policy in a struggle with commercial rivals, who were not cosmopolitan, to have had the desired effect.

The colonial policy of the Protectorate seems to have been liberal and benevolent. The Puritan Protector showed his love of Puritan New England by respecting her independence while he favoured her trade. "English history," says the American historian, "must judge of Cromwell by his influence on the institutions of England; the colonies remember the years of his power as the period when British sovereignty was for them free from rapacity, intolerance, and oppression." That abstention from interference did not proceed from lack of interest in the colonies the Protector showed by his attention to the affairs of Newfoundland, to which he sent the first real governor in the person of the able and honest Treworgie. 1653
"Even in our island," says the last local historian of Newfoundland, "the sagacious statesmanship and firm, strong hand of Cromwell made themselves felt." In proposing to transfer the New Englanders to Jamaica, the Protector's object probably was not only to give them a more genial abode, but to plant a stronghold of protestantism and of English commerce within the realms granted by the papacy to Spain. Herein he erred, and mankind may be thankful to the fathers of the American republic who clung to their austere home.

Of Cromwell's foreign policy the great aim was to unite protestant Christendom and put England at its head. He bore himself as the successor of Gustavus Adolphus and of the councillors of Elizabeth. He formed alliances with the protestant powers, Holland, Sweden, and Denmark. Christina, queen of Sweden, the daughter of Gustavus, before the madness which mingled with the heroic blood of Vasa had made her its prey, heartily acknowledged her father's heir. Her master of ceremonies was not so kind; but when Whitelock, the English ambassador, made his entry into the Swedish capital it snowed; and it was trying for the master of ceremonies to stand bareheaded in a snowstorm, bowing to the representative of a regicide republic. It appears that Cromwell had thought of a still closer union of protestant states, and even of some common organ for the propagation of protestantism to countervail the catholic Propaganda. When the papal Duke of Savoy persecuted with hellish cruelty the people of the pro-
1656 testant valleys, Cromwell at once stretched his mighty arm over his oppressed brethren in the faith. The passionate zeal which he showed in this cause, and which rings through his secretary's sonnet, amidst all his home difficulties, and with the dagger of the assassin at his breast, seems a strong proof of the genuineness of his religious feeling. In chastising by the hand of Blake the
1655 pirates of Algiers and Tunis, he presented himself as the champion of Christendom. Having to choose between France and Spain, on the rivalry between which European policy hinged, Cromwell decided for France on the religious ground. France, he said, though catholic, was less papal than Spain, while Mazarin was no bigot, but an Italian statesman, and feared Cromwell, men thought,

more than the devil. In fact, Cromwell was able through his influence over Mazarin to extend his protection to the Huguenots.

Was this policy an anachronism? Had the treaty of Westphalia finally closed the struggle between the religions in Europe? The Vaudois were still being persecuted. The Huguenots were still being harassed. The fires of the Inquisition were still burning. Louis XIV., with his satrap, James II., the revocation of the Edict of Nantes, the expulsion of the protestants of Salzburg, were still to come. Two contrasted and antagonistic masses of opinion and character, two realms which to a fervent protestant might seem, one that of light, the other that of darkness, still divided Europe. Apart from specific dogma, protestant countries were natural allies. The Puritanism of which Cromwell was himself the offspring and the champion, was it not a birth of that day, and was not the papacy its natural foe? Cromwell was a religious enthusiast without much culture. His enthusiasm, when it came into play, was not unlikely to carry him beyond the bounds of reason. From this tendency his project of protestant union under English leadership may not have been free. At all events his policy was moral and grand.

Less easy is it to defend the Protector's conduct in attacking Spain without definite cause or declaration of war. Here he may well be said to have been acting out of date, in the spirit of the Elizabethan buccaneers. Nor can it be doubted that his object was in part to replenish his empty treasury from the treasure fleets of Spain, though it was in part to break, in the interest of England, the Spanish monopoly of those golden realms. His apology would be that there was no peace beyond the line, and that in those

waters Spain, on the strength of a papal grant, waged perpetual war on all mankind. It might also be pleaded for him that there was what may be called normal war between France and Spain; that both those powers had courted his alliance, and neither could complain if he accepted the alliance of its rival. If he, and England with him, sinned, the punishment followed; for the possession of Jamaica and the other slave islands proved a curse, and a burden, though mitigated by emancipation, it remains at this hour.

It has been truly said that Englishmen are not at ease in their aggrandizement unless they can believe themselves to have a moral object, and that Cromwell was in this respect a typical Englishman. But the combination was more genuine, the illusion at least was easier in the case of one who served the God of the Old Testament than it is in that of the imperialist of the present day.

To the charge of having unwisely taken part with the more dangerous against the less dangerous of the two powers, the fair answer would be that the decay of Spain was not then apparent; that nobody could have foreseen Louis XIV.; and that Louis XIV. would never have been the tyrant of Europe if England had not been put under his feet by the restored Stuarts.

England seems to have still hankered for a Calais as a gate for her continental ambition. Cromwell won for her, as the price of his alliance with France, Dunkirk, an
1658 acquisition which would now be insane, but was less so when Dunkirk was a commercial key and had been a lair of privateers.

To the fatal war with the Dutch, Cromwell's wisdom put an end, though he was too haughty and exacting in

his negotiations for peace. His chief object was the exclusion from power of the house of Orange, allied by marriage to the Stuarts. This he obtained, not from the States General, but from Holland, the republican rulers of which were no less desirous of keeping the Stadtholderate in abeyance than Cromwell was of depriving the Stuart pretender of support. The protestant republics were natural allies of the protestant commonwealth, but commercial rivalry prevailed, and the estrangement had been increased by the late war.

Of the majesty with which this upstart bore himself in his dealings with foreign powers, of the height of grandeur to which he raised his country, the royalist historian is the unwilling witness. He gave England a confidence in herself which she has never lost. He perhaps gave her too much confidence in herself, at least taught her to be too self-asserting. His saying that he would make the name of Englishman what that of Roman had been, a swelling phrase on his lips, becomes mere arrogance on ours. Between him and the jingo of the present day if there is an affinity, the contrast also is great.

A Puritan government was always in danger of meddling too much with private tastes and habits. Yet the meddling does not seem to have been very vexatious or oppressive. Bear-baiting, bull-fighting, and cock-fighting were prohibited. Horse-racing was forbidden for a time, but a major-general gives permission for a horse-race, saying that it is not the Protector's intention to abridge gentlemen of their sport, but only to prevent the confluence of enemies to the government. Cromwell himself was a lover of horses. If betting was prohibited, few, seeing what a gambling-table the turf can become, would

deem the prohibition noxious. Duelling, the privilege of a caste, was denied to the gentry. Houses of ill-fame and gambling-houses were suppressed ; the licensing of taverns was strictly controlled. The boundary of legitimate interference was approached when blasphemy and swearing were made penal. It was overstepped when Maypoles were prohibited as heathen. Village wakes may have been sometimes scenes of riot. Harsh and mischievous was the closing of the theatre, though, if the office of the drama is to purify the affections, its office was hardly performed by the drama of the later Stuarts. Players were treated as vagabonds. Opera was allowed, the Protector being fond of music. Light, though not licentious literature was free and abounded. The worst of the system probably was the Puritan Sabbath, with its dull gloom and its denial of innocent pastimes on Sunday afternoon. In reading Evelyn's diary we do not feel that there is a pall over social life, while the opening pages of Pepys introduce us at once to a convivial and card-playing society. Still, there may have been enough of restraint to cause natural disaffection and to make a large, though not the best, class welcome a return to license.

Cromwell was not, like Eliot, Pym, and Hampden, cultivated ; yet he had been bred at a classical school and at Cambridge, and, what was of more consequence, he had been trained intellectually by converse with the highest intellects on the highest subjects of the time. Though unlearned himself, he fostered learning. He saved the Universities of Oxford and Cambridge from the fanaticism which would have destroyed them as seats of mere human knowledge. Of the University of Oxford he made himself chancellor, and startling is the appearance of his name

in a series of high churchmen and Tories. He founded 1657
the University of Durham. Alone of English princes he set himself to draw merit and promise from the universities into the service of the state. The men whom he placed in academical office were Puritans, of course, and as Puritans narrow, but they were learned, and ruled well. Nor was the narrowness extreme, since now it was that Oxford was in part the home of the circle, including Wilkins, Boyle, Wallis, Seth Ward, and Wren, which gave birth to the Royal Society. At the Restoration, Clarendon found the University of Oxford abounding in excellent learning, a result due, as he thinks, to the goodness and richness of the soil, which could not be made barren by all the stupidity and negligence, but choked the weeds and would not suffer the poisonous seeds, which were sown with industry enough, to spring up. The soil must have exhausted its virtues in the effort, if we may judge from its products after the Restoration. Mr. Masson has given us a list of about seventy men of literary or scientific celebrity, actual or to come, who were alive at the midpoint of Oliver's Protectorate, and lived under his rule, some freely and others by compulsion. The list includes, besides religious writers and preachers, Waller, Milton, Harrington, Wilkins, Wallis, Cudworth, Algernon Sidney, Andrew Marvell, Petty, Boyle, Bunyan, Temple, Dryden, Locke, Hales, Hobbes, Walton, Fuller, Pocock, Davenant, Browne, Jeremy Taylor, Cleveland, Denham, Cowley, Barrow, and South. Hobbes, Davenant, and Cowley are instances of men who returned from exile to live and write under the Protector's rule.

"Cromwell," says Burnet, "studied to seek out able and honest men and to employ them; and so having heard

that my father had a very great reputation in Scotland for piety and integrity, though he knew him to be a royalist, he sent to him desiring him to accept of a judge's place and to do justice in his own country, hoping only that he would not act against his government; but he would not press him to subscribe or swear to it." The man had a royal eye for merit and a royal heart to advance it in the state. He was not too nice in scrutinizing the opinions of able men, nor, so long as they served England well, did he too curiously inquire how they would serve Cromwell. There is no pledge of genuine greatness rarer or more decisive than the choice of men as associates who will not be tools. Blake, who gained the naval victories of the Protectorate, was a republican; Lockhart, the chief instrument of the Protector's foreign policy and one of the first diplomatists of the day, as well as a distinguished soldier, was an old royalist whose value Cromwell had discerned; so was Monck. Broghill, who served the Protectorate well in various capacities, not only was a zealous royalist, but was on the point of departure for the continent to concert measures with Charles II. when Cromwell surprised him by a visit and made him his own. Whitelock, the Protector's legal adviser, was, as Cromwell must have known, far from a devoted Oliverian. Sir Matthew Hale, chief justice under the Protectorate, had been counsel to Strafford and Laud, and had tendered his services to the king; he well justified the Protector's choice by braving the wrath of the Protector himself, who, tried beyond endurance by the resistance to the establishment of his government, had been betrayed into one of those brief outbreaks of arbitrary temper which, though culpable in themselves, showed by contrast his general desire of gov-

erning by law. The Protector's second self was Thurloe, a man of supreme ability and the rival of Walsingham in the skill with which he managed the secret service so necessary to the safety of his chief and of government. A conspirator assured Cromwell that when in France he had not seen the Pretender. He was told that he spoke the truth, since the interview had been in the dark. Lockhart passed afterwards into the service of the Restoration as ambassador at Paris, and still showed the spirit of the Protectorate in altered times. The king of France produced a private letter from the king of England, obtained by corrupt influence and contrary to Lockhart's public instructions. "Sire," said Lockhart, "the king of England speaks to your Majesty only through me."

Royal natures, even on a throne, love simplicity of life. The Protector was treated as half a king; he had a court and he kept state as the head of a nation. But it was a state modest and rational compared with that of a Grand Monarch. Unrefined, and accustomed to the comradeship of the camp, he was apt in private to relieve his burdened mind with rude humour, boisterous merriment, and even practical jokes. But when he received ambassadors, he knew how to show himself the peer of kings. A leading part of his entertainments was music, which was his chief pleasure. The court was the first household in England, and, as enemies confessed, a good pattern to others, though it might not be altogether free from upstart vanity or intrigue. Whitehall was the scene of work. But sometimes the Protector shuffled off his coil of anxious business, and escorted by his life guards, whose attendance was no needless pageantry, rode down to Hampton Court. There he refreshed his soul with

quiet and country air. Thither he had brought an organ to chase away for an hour the throng of eating cares. His chief joy and comfort, however, were in his family, to which through all the chances and changes of his life, alike in trial and in victory, his heart had turned. All the members of it were gathered round him in the hour of his greatness and of his peril, and remained bound by strong affection to him and to each other. One was miss-
1644 ing, Oliver, the eldest, who had died when in arms for the cause, and whose image, as we know from Cromwell's last utterances, never left his father's heart. Among the rest the Protector's mother, ninety years old, was brought to a scene strange to her and in which she had little comfort, for every report of a gun she heard seemed to her her son's death, and she could not bear to pass a day without seeing him with her own eyes. We may trust the brief account of her end which is found among the dry state papers of the unsentimental Thurloe. "My Lord
1654 Protector's mother, ninety-four years old, died last night. A little before her death she gave my lord her blessing in these words, 'The Lord cause his face to shine upon you and comfort you in all your adversities, and enable you to do great things for the glory of your Most High God, and to be a relief unto His people. My dear son, I leave my heart with thee. A good night.'" Jealousies there were sure to be in a new-made court.

It was impossible that a government resting on an army should ever cease to wear the aspect of a dominion of the sword, or fail to be in that respect odious to a free and law-loving nation. But the discipline of Cromwell's soldiers was excellent. "Sure," says Clarendon, "there was never any such body of men so without rapine, swearing,

drinking, or any other debauchery but the wickedness of their hearts."

The Protector's government was taking root, as a government, whatever its title, was sure to do when it gave the people peace at home, grandeur abroad, free trade, an open course for industry, and practical improvement. Even the old nobility were becoming satisfied of its stability, and willing to ally themselves with the blood of its chief. Lord Fauconberg married one daughter of Cromwell; the heir of the Earl of Warwick married another. The crown and church lands had sold well and their purchasers had formed a guard for the new order of things, like that formed for the French revolution by the peasant proprietary which it had created, though on a far smaller scale. Foreign powers evidently thought the Protectorate firmly established. Financial difficulties were pressing; there was a debt of upwards of two millions and an annual deficit; parliamentary supply was indispensable; but Cromwell was looking forward to meeting parliament again, and apparently with a fair prospect of success.

On the threshold of success was death; it was death 1658
for the Protector in a strange form; for, after all the battles and sieges, and all the plots of assassins, he died of grief at the loss of a favourite daughter and of watching at her side. When he found his end approaching he turned resolutely from the world to God. Napoleon's last words were "*Tête d'armée*"; Cromwell's were a prayer not unworthy to be the last utterance of Puritanism, which in fact expired when he died. A hurricane which blew just before his death seemed to mark the momentous character of the event, and to presage the storms which were to come.

Hallam, the most orthodox of Whigs, hating the religious enthusiast and the political usurper, says that the Protector had sucked only the dregs of a besotted fanaticism, and contrasts him with Napoleon, to whom the stores of reason and philosophy were open. Cromwell's fanaticism, at all events, did not lead him to sacrifice the lives of millions and the happiness of nations to the star of his own destiny. Yet he had set out as a fanatic, though his fanaticism was sincere and grand. Nor could he ever entirely put off the intellectual or the moral obliquity by which the character is beset. Up dangerous paths he had climbed, or rather had been drawn, to the height of power, and no doubt he had more than once slipped on the way. On one terrible occasion he had slipped indeed. That he had been led far from the simplicity of his early faith and enthusiasm, he was not unconscious. On his death-bed, he asked a minister whether those who had once been in a state of grace could fall from it, and being told that they could not, said that if it was so, he was saved, for he was sure that he had once oeen in a state of grace. He had undergone the evil influences, not only of faction, but of civil strife. His vision as a statesman could not extend beyond the horizon of his age, an age of state churches, of commercial monopoly, of religious and territorial war. But without being a demigod, he may have been a very great man. Nor is it strange that to a very great man a great nation in the throes of a revolution which stirred the depths of its soul, should have given birth. The Protector's greatness extorted the respect of enemies who countenanced plots against his life and afterwards trampled on his corpse. So much surely has never been done by any other ruler in

five troubled years, amidst constant danger to his person as well as to his government. A longer period of Cromwell, or of persistence in his policy, might have averted not only the reaction in England, with all the evil which it wrought, but the ascendancy of Louis XIV., and have changed the course of European history. The three kingdoms would have remained united, free trade among them might have sealed the union, and they would all have been rid of state prelacy. For the time Cromwell's work was undone, and on his fame settled a cloud of obloquy, which now and then lifted when disaster and disgrace under other governments forced England to think of his glory. Nor was this feeling otherwise than creditable to the nation so far as it arose from abhorrence, however misdirected, of usurpation, and from respect for constitutional liberty and law. The cloud is now dispersed, and Cromwell's work and name are accepted by his countrymen, to some of whom, perhaps, he has become an object of excessive admiration. As the world goes on and intelligence spreads the importance of individual leaders grows less, and hero-worship as a serious theory, if it is applicable to the past, is not applicable to the present. Yet, at a crisis, there may still be a call for a leader, and it is something to know that England has produced a leader indeed. Posthumous influence through their works is given to many, personal influence beyond their lives to few, but among those few is Oliver Cromwell.

Maidstone, who was steward of the Protector's household, said after his death, when flattery, at all events, was mute, "His body was well compact and strong, his stature under six feet (I believe, about two inches), his head so shaped as you might see it a store-house and shop

both, of a vast treasury of natural parts. His temper exceedingly fiery, as I have known; but the flame of it, kept down for the most part, was soon allayed with those moral endowments he had. He was naturally compassionate towards objects in distress, even to an effeminate measure; though God had made him a heart wherein was left little room for any fear but what was due to Himself, of which there was large proportion. A larger soul, I think, hath seldom dwelt in a house of clay than his was. I do believe, if his story were impartially transmitted, and the unprejudiced world well possessed with it, she would add him to her nine worthies, and make up that number a *decemviri*. He lived and died in comfortable communion with God, as judicious persons near him well observed. He was that Mordecai 'that sought the welfare of his people, and spake peace to his seed;' yet were his temptations such as it appeared frequently that he, that hath grace enough for many men, may have too little for himself; the treasure he had being but in an earthen vessel, and that equally defiled with original sin as any other man's nature is." The last sentence shows that Maidstone, though a loving, was not a wholly uncritical observer.

Evolutionists must admit that, after all, much depends upon the man. Who was to fill Cromwell's place? It seems that he had executed a paper naming his successor, but the paper could not be found. There appears no reason to doubt that in his last moments he nominated his eldest son, Richard. Richard was weak, as his father must have too well known. But who else was there? Henry, the younger son, was a man of fine character and had ruled Ireland well, but he was not strong enough to stand by

his own strength alone. Ireton was dead. Of the army chiefs not one was a statesman; Lambert, the most brilliant soldier, least of all. Fleetwood was not more than respectable. Desborough was a hot republican full of turbulent ambition. Thurloe and Broghill were statesmen, but they had no hold on the army and no following. There was Fairfax; but Fairfax had sunk the soldier of the Commonwealth in the grandee, and had married his daughter to the by no means Puritan Duke of Buckingham. Richard had the shadow of hereditary right. He was a country gentleman and sportsman with little of the Puritan about him. He had scarcely mingled in politics; he was free from the stain of regicide; he had made no enemies; he was personally popular even with Cavaliers. On the other hand, he was not a soldier and had no hold upon the army. His undisturbed succession, however, showed that the Protectorate had taken root. Professions of adhesion came in from all the counties. Foreign powers recognized at once. Neither Mazarin nor Lewis de Haro would have anything to say to Charles Stuart. The royalists were passive, and when at length they rose in the north, under Booth, they were easily put down. Richard had shown folly and added somewhat to the financial difficulties by giving his father an enormously costly funeral, debasing thereby the memory which he intended to exalt. But in his new elevation he bore himself with unexpected dignity. He had Thurloe to manage for him, Broghill and other eminent men in his councils.

Thurloe, managing for the Protectorate, called a parliament. He called it on the unreformed footing, with all the petty boroughs, which he deemed more favourable to the government than the reformed; a bad omen, as well as 1658-1659

a sad relapse. The parliament, however, proved friendly, and in spite of the desperate resistance of the irreconcilable republicans, the men, as they styled themselves, of the good old cause, recognized the Protectorate and the upper House. So far Thurloe and the Protectorate triumphed. But close to Westminster and Whitehall the storm was gathering at Wallingford house, the residence of Fleetwood, where he, with Lambert, Desborough, and other army chiefs, sat brooding over the memory of their ascendancy and plotting to regain it. They demanded in effect that Richard should give up to them the command of the army; in other words, supreme power. The irreconcilable republicans, madly bent on overturning the Protectorate, leagued themselves with the malcontent soldiers.

Richard, though at first he showed a sense of his right and duty as the head of the state, wanted firmness for steady resistance, and weakly allowed a convention of the army to be called. Between that convention and the parliament a collision ensued. The army chiefs turned out the parliament by force and deposed the Protector, who, conscious of his own unfitness for command, was
1659 ready enough to retire, with a moderate provision, into private life. To throw a decent veil over the government of the sword, the army chiefs recalled the Rump, which went to work as if all that had occurred since Pride's Purge had been a blank. When the Rump tried to control them, they turned it out again. Then, feeling that they could not dispense with some show of civil government, they recalled it once more.

There ensued a wild scene of dissolution and distraction, while political speculation was running crazy in Harrington's "Rota" Club, and Milton, agonized by the imminent

ruin of all his hopes, conjured the members of the Rump frankly to assume the character of a permanent government, which, in fact, from his point of view, was the best thing to be done. The weakness of the parliament throughout had been its want of permanent character as a government. It appeared always as a representative assembly which had lost its elective base and feared to go to its constituents.

General Monck was still commanding the army of occupation in Scotland, where he had continued to carry out the Protector's policy well. He was a man with no theory, probably not with much principle; shrewd and silent; ready to serve any paymaster, but loyal to the paymaster whom he served. Of his loyalty to the Protectorate there was no doubt. He had given Richard wise counsel, advising him to make friends of the moderate party and reduce the army by throwing two regiments into one, getting rid by the way of dangerous spirits among the officers, who, he assured him, when cashiered, would be powerless. He had kept himself close, watched the progress of anarchy, opened communication with Fairfax, and weeded his own army of all upon whom he could not rely. When anarchy reached its height he moved on London. There he went through a singular course of what 1660
is commonly deemed dissimulation and deceit, but may have been only wavering. He for some time bore himself as the loyal servant of the Rump, going so far as to dismantle, in obedience to its command, the street defences of Presbyterian and now royalist London. Suddenly he turned round and, amidst the wildest enthusiasm of the city, declared for a free parliament. To declare for a free parliament was to declare for a parliament in which,

though Cavaliers could not sit, men elected under their influence might, in which royalist Presbyterians would predominate, and which would certainly recall the king, a general stampede to whom at once set in.

1660 Recalled at once by the Convention Parliament with every appearance of national enthusiasm the king was. From Dover to London Charles moved through a living avenue of jubilation. It was a reaction, not against the Protectorate of Oliver, or even that of Richard, but against the military anarchy which had followed; yet in these shouts of welcome there was much of genuine attachment to monarchy. One sign of this was that touching for the king's evil began again on a large scale. Such was the concourse of dupes that some were crushed to death. If any one was healed by the hand of Mrs. Palmer's lover, the power of working miracles must have been strictly attached to the office.

There was the army of the Commonwealth still strong enough, if it chose, to put the veto of its sword on the Restoration. Would it quietly allow everything for which it had fought and bled to go by the board? By long service the soldier had probably been made more professional and less political; he had shown indifference, if Evelyn speaks the truth, at Cromwell's funeral. Monck, too, had been weeding out dangerous elements. But an army, though with a chief irresistible, cannot act without a chief, and this army now had none. So Cromwell's veterans took their arrears of pay and went back to their homesteads or workshops, showing themselves thereafter to have been Ironsides only by their superior industry and worth. "No other prince in Europe," said Chancellor Hyde, on the occasion, "would be willing to disband such

an army, an army to which victory is entailed, and which, humanly speaking, could hardly fail of conquest whithersoever he should lead it; an army whose order and discipline, whose sobriety and manners, whose courage and success hath made it famous over the world." This, from Hyde's lips, is at least the language of genuine fear. These men, though they dispersed so peacefully, must have hung their swords over their hearths, and could hardly have forgotten Marston, Naseby, and Worcester. What did they think and say when the corpse of their old chief was gibbeted at Tyburn, when their old officers were being hanged and quartered for treason, when vindictive prelacy was persecuting their religion and crowding the prisons with the preachers on whose lips they had hung?

This was the end of Puritanism, or of so much of it as was mortal, in England. It could not fail, like other great moral movements, to leave traces on national character, but in its distinct and original form it quits the scene. In England it lay vanquished by the traditional forces, which, though by the preternatural energy concentrated in a resolute minority and a powerful chief it had for a time thrust them aside, closed upon it and overpowered it in the end. But on the eve of the conflict in England it had placed itself beyond the chances of war. A company of peasants persecuted by Laud and seeking an asylum for their faith and worship had, after undergoing with heroic constancy much suffering and discouragement, founded a little Commonwealth on the other side of the Atlantic. Afterwards a larger emigration, drawn from a higher class and led by a landed gentleman, had founded, by the side of the original colony, one more properly called Puritan,

the original colony having been really Independent. To this Sir Henry Vane and other leading spirits of the Puritan party, groaning under the tyranny of Charles and Laud, had been drawn or turned their thoughts, when the revolution, breaking out in England, gave them work enough and hope at home. The founders of a republic on the bleak and lonely shore of Massachusetts had not to contend with a superstitious reverence for monarchy, a deeply rooted aristocracy, or a powerful prelacy; their drawback was the religious narrowness contracted in the English struggle which led them to confine their commonwealth to a sect, and even presently to become persecutors in their turn. Though in the end Puritanism was fated here also to die, the republic lived, not without traces of the Puritan character, some of which are discernible perhaps even at the present day. In New England there was no Restoration. There, in the day of Cavalier vengeance, the hunted regicide found shelter and has left his memory in the Judge's Cave. The statue of Cromwell, rejected at Westminster, might, if the Irish vote were not in the way, be fitly set up at Washington.

End of Volume I